

Federal Court



Cour fédérale

**Date: 20190718**

**Dockets: T-2111-16  
T-460-17**

**Citation: 2019 FC 956**

**Ottawa, Ontario, July 18, 2019**

**PRESENT: The Honourable Mr. Justice Fothergill**

**Docket: T-2111-16**

**BETWEEN:**

**SHERRY HEYDER  
AMY GRAHAM  
NADINE SCHULTZ-NIELSEN**

**Plaintiffs**

**and**

**THE ATTORNEY GENERAL OF CANADA**

**Defendant**

**Docket: T-460-17**

**AND BETWEEN:**

**LARRY BEATTIE**

**Plaintiff**

**and**

**THE ATTORNEY GENERAL OF CANADA**

**Defendant**

**ORDER**

**(Notice of Settlement Approval Hearing)**

**UPON** the motion of the Plaintiffs pursuant to Rules 334.34, 334.35, 334.36 and 334.37 of the *Federal Courts Rules*, SOR/98-106, for an order approving the form and content of the notice to be given of the hearing to approve the proposed settlement between the Plaintiffs and the Defendant, the participation form, the plan of disseminating the notice, and to appoint the Notice Provider and the Interim Administrator;

**AND UPON READING** the parties' motion records;

**AND UPON HEARING** the parties' oral submissions;

**AND CONSIDERING** the consent of the Defendant to the relief sought;

**THIS COURT ORDERS that:**

1. Notice of the settlement approval hearing substantially in the forms attached as **Schedule "A"** in English and **Schedule "B"** in French (the "**Notice**") is approved, subject to the right of the parties to make non-material amendments as may be necessary or desirable.
2. KCC/Ricepoint is appointed as the Notice Provider for Phase I Notice and shall disseminate the Notice in the manner set out in the External Notice Plan attached as **Schedule "C"** (the "**External Notice Plan**").

3. The Defendant shall disseminate the Notice in the manner set out in the CAF/DND Notice Plan attached as **Schedule “D”** (the “**CAF/DND Notice Plan**”).
4. Together, the CAF/DND Notice Plan and the External Notice Plan constitute good and sufficient service upon class members and all affected parties of notice of the hearing to approve the proposed settlement.
5. Any persons wishing to submit a participation form (the “**Participation Form**”) shall deliver a Participation Form in the form attached hereto as **Schedule “E”**, postmarked or sent by e-mail no later than August 30, 2019, to the contact information indicated on the Participation Form.
6. Any objections received after the Participation Deadline shall not be considered at the hearing to approve the proposed settlement without leave of the Court.
7. Deloitte LLP is appointed as the Interim Administrator to perform pre-claims administration duties, which shall include establishing and maintaining a website and call centre. Deloitte LLP shall also be responsible for the receipt of class members’ participation forms and shall manage the participation of class members at the settlement approval hearing in accordance with the Pre-Claims Administration Plan attached as **Schedule “F”**.

8. The cost of the External Notice Plan shall be paid by the Defendant up to a maximum of \$200,000.00, inclusive of taxes, as set out in **Schedule "C"**. The Defendant shall also bear the cost of the CAF/DND Notice Plan.

9. The cost of the Pre-Claims Administration Plan shall be paid by the Defendant up to a maximum of \$75,000.00, inclusive of taxes, as set out in **Schedule "F"**.

"Simon Fothergill"

Judge

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# **TAB *A***

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## **Schedule "A"**

### **PHASE I SETTLEMENT APPROVAL HEARING NOTICE MATERIALS**

#### **NOTICE OF PROPOSED SETTLEMENT IN THE CANADIAN ARMED FORCES/DEPARTMENT OF NATIONAL DEFENCE SEXUAL MISCONDUCT CLASS ACTION (LONG FORM)**

**Are you a current or former member of the Canadian Armed Forces, or a current or former employee of the Department of National Defence or Staff of the Non-Public Funds, Canadian Forces? Have you experienced sexual harassment, sexual assault or discrimination based on your sex, gender, gender identity or sexual orientation in connection with your military service or DND or SNPF employment? If so, this lawsuit may affect you. Please read this notice carefully.**

**The Federal Court authorized this notice. This is not a solicitation from a lawyer.**

While not admitting liability, the Government of Canada ("Canada") has agreed to a settlement regarding class action lawsuits for current and former members the Canadian Armed Forces ("CAF"), and current and former employees of the Department of National Defence ("DND") and/or Staff of the Non-Public Funds, Canadian Forces ("SNPF") who experienced sexual harassment, sexual assault or discrimination based on sex, gender, gender identity or sexual orientation ("**Sexual Misconduct**") in connection with their military service and/or employment with the DND/SNPF. Seven former members of the CAF (the "**Representative Plaintiffs**") initiated class action lawsuits.

All current or former CAF members, employees of DND, and/or SNPF who have experienced Sexual Misconduct may be able to receive compensation under the proposed settlement if it is approved by the Court. To be eligible for a payment, you must be a member of either the "CAF Class" or the "DND/SNPF Class".

"CAF Class" is defined as:

All current or former CAF members who experienced Sexual Misconduct up to and including the Approval Date who have not opted out of the Heyder or Beattie Class Actions.

"DND/SNPF Class" is defined as:

All current and former employees of DND and of the Staff of the Non-Public Funds, Canadian Forces, who experienced Sexual Misconduct up to and including the Approval Date who have not Opted Out of the Heyder or Beattie Class Actions.

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ACTION (LONG FORM)**

A hearing to determine if the proposed settlement is fair, reasonable and in the best interests of the Class Members is scheduled to take place in Ottawa on September 19 and 20, 2019.

**What does the proposed settlement provide?**

If approved, the settlement provides:

- a) financial compensation for certain Class Members who experienced Sexual Misconduct connected with their military service and/or employment for DND/SNPF;
- b) the option to participate in a restorative engagement program for survivors to share their experiences of Sexual Misconduct with senior CAF or DND representatives;
- c) changes to CAF policies and other measures addressing Sexual Misconduct in the CAF; and
- d) updates to Veterans Affairs Canada (VAC) policies related to eligibility for disability payments and reconsideration of claims by a dedicated unit of employees established to assist with these claims.

If the Federal Court approves the proposed settlement, you may make a claim for financial compensation, and you may seek to participate in the restorative engagement program. To do so, you will have to complete an **Individual Application/Claim Form** and send it to the claims administrator during the claims period. More information on how to make a claim and how to request restorative engagement will be available if the proposed settlement is approved.

If the proposed settlement is approved by the Court, Class Members can also “**Opt Out**” if they do not want to be bound by the terms of the settlement. Information about opting out is set out below.

**What are your legal rights and options?**

- |               |  |
|---------------|--|
| 1. Do nothing | If you support the settlement agreement, you do not have to do anything right now. Please note that by doing nothing, you will give up any right to object to the settlement and you will give up the right to sue Canada or others on your own or bring a Human Rights complaint in relation to any sexual harassment, sexual assault or discrimination you experienced while serving in the military or as a DND/SNPF employee.    |
| 2. Opt Out    | If you don't want to be bound by the settlement if it is approved by the Court, you can Opt Out of the class action, at that time. More information about how and when to Opt Out will be provided when and if the settlement is approved. You will have 90 days from the date the Court issues an order approving the settlement to make your decision. If you Opt Out, you will not be entitled to any financial compensation from |

**NOTICE OF PROPOSED SETTLEMENT IN THE CANADIAN ARMED  
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the settlement, but you will keep your right to sue Canada or others on your own or bring a Human Rights complaint in relation to any sexual harassment, sexual assault or discrimination you experienced while serving in the military or as a DND/SNPF employee, subject to any time or other legal limitations applying to your claim.

If you have commenced a legal proceeding against Canada for damages resulting from the Sexual Misconduct covered by this settlement and you do not discontinue it before the Opt Out Date fixed by the Court, you will be automatically deemed to have Opted Out of the Settlement and you will not be able to claim compensation.

Class Members who died before March 15, 2019 are not eligible for compensation under the settlement. Estates of Class Members who died before March 15, 2019 that wish to seek compensation should seek legal advice promptly regarding their options.

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|--|--|
| 3. Submit a statement of support         | If you do not wish to attend the hearing, but you would like to explain why you support the settlement, you can complete a <b>Participation Form</b> . This form will include your name, address, and the reasons why you support the settlement. The Participation Form can be found at <a href="http://www.caf-dnd-sexualmisconductclassaction.com">www.caf-dnd-sexualmisconductclassaction.com</a> . You must mail this Form to <b>CAF DND Sexual Misconduct Class Action c/o Deloitte</b> , Bay Adelaide Centre, East Tower, 8 Adelaide Street West, Toronto, ON M5H 0A9, or email it to <a href="mailto:cafdndmisconduct@deloitte.ca">cafdndmisconduct@deloitte.ca</a> and it must be received or postmarked no later than <b>August 30, 2019</b> .               |
| 4. Object to the proposed settlement     | If you do not wish to attend the hearing, but you would like to explain why you object to the settlement, you can also complete a <b>Participation Form</b> . This form will include your name, address, and the reasons why you do not support the settlement. The Participation Form can be found at <a href="http://www.caf-dnd-sexualmisconductclassaction.com">www.caf-dnd-sexualmisconductclassaction.com</a> . You must mail this Form to <b>CAF DND Sexual Misconduct Class Action c/o Deloitte</b> , Bay Adelaide Centre, East Tower, 8 Adelaide Street West, Toronto, ON M5H 0A9, or email it to <a href="mailto:cafdndmisconduct@deloitte.ca">cafdndmisconduct@deloitte.ca</a> and it must be received or postmarked no later than <b>August 30, 2019</b> . |
| 5. Participate at the settlement hearing | You can attend the approval hearing at the <b>Federal Court in Ottawa, 90 Sparks Street, on September 19 and 20, 2019 at 10:00 a.m.</b> to participate in the proceeding and voice your support or objection to the proposed settlement in person. The Court will decide if you will be permitted to make oral submissions at the time of the hearing. However, in order to be eligible to participate, you must have completed and submitted the participation form setting out your reasons for supporting or objecting to the proposed settlement.  |

**What kind of compensation am I eligible for?**



# **NOTICE OF PROPOSED SETTLEMENT IN THE CANADIAN ARMED FORCES/DEPARTMENT OF NATIONAL DEFENCE SEXUAL MISCONDUCT CLASS ACTION (LONG FORM)**

Your payment will depend on the type of Sexual Misconduct you experienced in connection with your military service and/or DND/SNPF employment and an assessment of the harm you suffered. It will also depend on how many Class Members submit claims. The range of individual compensation for most Class Members is between five thousand dollars (\$5,000) and fifty-five thousand dollars (\$55,000). Class Members who experienced exceptional harm (and in the case of those who have previously been denied VAC benefits in respect of that harm, and whose application for reconsideration is also denied), may be eligible for amounts up to one hundred and fifty-five thousand dollars (\$155,000). Details are explained in the proposed settlement agreement. A copy of the agreement is available here: [www.caf-dnd-sexualmisconductclassaction.com](http://www.caf-dnd-sexualmisconductclassaction.com).

## **WHAT THIS NOTICE CONTAINS**

### **Basic information**

1. Why did I get this notice?
2. What is a class action?
3. What is this class action about?
4. Why is there a proposed settlement?

### **Who is included in the lawsuit and proposed settlement?**

5. Who are the Representative Plaintiffs in this class action?
6. Who else is included in the proposed settlement?
7. What if I don't want to be included in the lawsuit or settlement?
8. What if I'm not sure whether I'm included in the lawsuit or proposed settlement?

### **Proposed settlement benefits?**

9. What does the proposed settlement provide?
10. How will the lawyers be paid?

### **Who are the lawyers representing you?**

11. Who are the lawyers for the plaintiffs?

### **What are my legal options?**

12. How do I tell the court if I like or dislike the proposed settlement?

### **What are the details of the approval hearing?**

13. When and where will the court decide whether to approve the proposed settlement?

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- 14. Do I have to attend the hearing?
- 15. May I speak at the hearing?
- 16. What if I do nothing?

**Getting more information**

- 17. How do I get more information?

**Basic information**

**1. Why did I get this notice?**

While not admitting liability, Canada has agreed to a settlement of proposed class action lawsuits commenced by former members of the CAF alleging sexual harassment, sexual assault or discrimination based on sex, gender, gender identity or sexual orientation (Sexual Misconduct) in connection with their military service. The Parties have agreed to include the DND/SNPF Class Members to ensure that certain persons working alongside the CAF Class in the Military Workplace are eligible for compensation through this settlement.

The Federal Court authorized this notice to let you know that there is a court hearing scheduled to approve this settlement. If you have received this notice, you may have legal rights and interests that are affected by the proposed settlement. This notice explains what is happening, and what actions you can choose to take.

**2. What is a class action?**

In a class action, one or more people called “**Representative Plaintiffs**” sue on behalf of people who have similar claims. All of the people who have similar claims are called a “**Class**” or “**Class Members**.” The court resolves the issues for everyone affected, except for those who exclude themselves from the lawsuits by Opting Out.

**3. What is this class action about?**

The proposed class actions relate to CAF members and DND/SNPF employees who have experienced sexual harassment, sexual assault or discrimination based on sex, gender, gender identity or sexual orientation in connection with their military service or employment for DND/SNPF. Canada has not admitted liability, however, it has agreed to a settlement.

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**4. Why is there a proposed settlement?**

The Representative Plaintiffs and Canada have agreed to a proposed settlement. By agreeing to the proposed settlement, the parties avoid the costs and uncertainty of a trial and delays in obtaining a judgment, and Class Members receive financial compensation and access a restorative engagement program, which are described in this notice and the settlement agreement. In this case, it also means that the Class Members will not need to testify in court. The Representative Plaintiffs and their lawyers believe that the proposed settlement is in the best interests of all Class Members.

**Who is included in the law suit and proposed settlement?**

**5. Who are the Representative Plaintiffs in this class action?**

The four former members of the CAF that initiated the lawsuits in the Federal Court are Sherry Heyder, Amy Graham, Nadine Schultz-Nielsen and Larry Beattie. You can contact them through the class counsel. The contact information for Class Counsel is available here: [www.caf-dnd-sexualmisconductclassaction.com](http://www.caf-dnd-sexualmisconductclassaction.com). Other similar class actions were filed in Nova Scotia, Quebec, and British Columbia. The plaintiffs in these class actions are Glynis Rogers, Alexandre Tessier, and Nicola Peffers.

**6. Who else is included in the Proposed Settlement?**

The proposed settlement includes the members of the CAF Class who are defined as follows:

*All current or former CAF Members who experienced Sexual Misconduct up to and including the Approval Date who have not opted out of the Heyder or Beattie Class Actions.*

CAF Members include officers and non-commissioned members of all components of the Canadian Armed Forces (Regular and Reserve), and any individual who served in any branch, corps, service or another group within or forming part of, the Sovereign's armed or military forces for Canada.

For greater clarity, "member" includes a recruit undergoing basic training and "Reserve Force" includes the Primary Reserve, Cadet Organizations Administration and Training Service (COATS), Canadian Rangers and Supplementary Reserve.

The proposed settlement also includes public service employees of the Department of National Defence and Staff of Non-Public Funds. Members of the DND/SNPF Class are defined as follows:

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*All current and former employees of DND and of the Staff of the Non-Public Funds, Canadian Forces, who experienced Sexual Misconduct up to and including the Approval Date who have not Opted Out of the Heyder or Beattie Class Actions.*

For greater clarity, “employee” includes members of the federal public service of all tenures including indeterminate, determinate, casual, and students but does not include members of the federal public service in an employment relationship with other federal departments or agencies that work with the CAF or DND. If the settlement is approved, all Class Members except those who validly Opt Out of the settlement will be bound by the proposed settlement and will be covered by the releases in the proposed settlement.

### **7. What if I don’t want to be included in the lawsuit or settlement?**

If you do not want to be bound by the settlement if it is approved, you will have an opportunity to “Opt Out” after the Court has decided whether to approve the Settlement. The Parties have agreed that the Opt-Out Period will be 90 days from the Approval Date (the date the court issues an order approving the settlement).

If you Opt Out, you will not be entitled to any financial compensation from the settlement, but you will keep your right to sue Canada or others on your own or bring a Human Rights complaint about the same legal claims in the lawsuit, subject to any time or other legal limitations applying to your claim.

You may have already commenced a legal proceeding against Canada for damages resulting from Sexual Misconduct suffered in connection with your military service or DND/SNPF employment. If you do not discontinue it on or before the Opt-Out Deadline fixed by the Court when the settlement is approved, you will automatically be deemed to have Opted Out of the settlement.

### **8. What if I’m not sure whether I’m included in the lawsuits or proposed settlement?**

There are people who can help you understand your legal rights and next steps. If you are not sure whether you are included in the proposed settlement, you may call 1-888-626-2611 or visit [www.caf-dnd-sexualmisconductclassaction.com](http://www.caf-dnd-sexualmisconductclassaction.com) or email: [cafdndmisconduct@deloitte.ca](mailto:cafdndmisconduct@deloitte.ca).

### **Proposed settlement benefits**

### **9. What does the proposed settlement provide?**

If approved, the settlement provides:

# NOTICE OF PROPOSED SETTLEMENT IN THE CANADIAN ARMED FORCES/DEPARTMENT OF NATIONAL DEFENCE SEXUAL MISCONDUCT CLASS ACTION (LONG FORM)

- a) financial compensation for certain Class Members who experienced Sexual Misconduct connected with their military service and/or employment for DND/SNPF;
- b) the option to participate in a restorative engagement program for survivors to share their experiences of Sexual Misconduct with senior CAF or DND representatives;
- c) changes to CAF policies and other measures addressing Sexual Misconduct in the CAF; and
- d) changes to Veterans Affairs Canada (VAC) policies related to eligibility for disability payments and reconsideration of claims by a dedicated unit of employees established to assist with these claims.

## Summary of Compensation Terms

Canada has agreed to pay a maximum of eight hundred million dollars (\$800 million) in respect of the CAF Class Members ("**Aggregate Compensation Cap – CAF Class**") and a maximum of one hundred million dollars (\$100 million) in respect of the DND/SNPF Class Members ("**Aggregate Compensation Cap – DND/SNPF Class**") who are eligible for compensation, as follows (the "**Individual Payments**"):

Category	Compensation Level	
A. Sexual harassment, gender-based and LGBTQ2+ based discrimination		
limited to women and those who identify as LGBTQ2+		\$5,000
limited to incidents occurring after April 17, 1985		
	Low Harm	\$5,000
B1. Targeted or ongoing or severe sexual harassment and/or sexual assault in the form of unwanted sexual touching	Medium Harm	\$10,000
	High Harm	\$20,000
	Low Harm	\$30,000
B2. Sexual assault in the form of sexual attack or sexual activity where no consent or unable to consent	Medium Harm	\$40,000
	High Harm	\$50,000
C. Enhanced Payment: Class Members who suffer or suffered from PTSD or other diagnosed mental injuries, or physical injuries arising from sexual assault or sexual harassment for which, for CAF Members, VAC benefits have been applied for and	Low Harm	\$50,000
	Medium Harm	\$75,000

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denied and/or have sought reconsideration and  
been denied.

High Harm

\$100,000

More detailed information about Class Member eligibility, the harm thresholds and limitations on eligibility can be found in the proposed settlement agreement, which is available here: [www.caf-dnd-sexualmisconductclassaction.com](http://www.caf-dnd-sexualmisconductclassaction.com).

If the total amount of payments to CAF Class Members is less than two hundred million dollars (\$200 million), CAF Class Members may receive up to an additional 15% of the amounts payable to each person. If the total payable to CAF Class Members is still less than \$200 million, then Canada will make available an amount equal to the difference so long as it does not exceed twenty five million dollars (\$25 million) which will be used for collective measures aimed at increasing awareness and culture change as agreed by the Parties. If the total amount of payments to CAF Class Members exceeds \$200 million, Canada will make available two-million dollars (\$2 million) which can be used for collective measures aimed at increasing awareness and culture change as agreed by the Parties. The total amount of individual payments to CAF Class Members cannot exceed \$800 million. If the total amount of payments to CAF Class Members exceeds \$800 million, the individual payments to CAF Class Members will be reduced on a *pro rata* basis so that the total amount of payments to CAF Class Members does not exceed \$800 million.

If the total amount of payments to DND/SNPF Class Members is less than twenty-five million dollars (\$25 million), DND/SNPF Class members may receive up to an additional 15% of the amounts payable to each person. If the total amount of payments to DND/SNPF Class Members exceeds \$100 million, the individual payments to DND/SNPF Class Members will be reduced on a *pro rata* basis so that the total amount of payments to DND/SNPF Class Members does not exceed \$100 million.

If either the total amount of payments to the CAF Class or the DND/SNPF Class exceeds the funds available for each group, but the total amount of payments to the other Class does not exceed the funds available, funds may be transferred for the benefit of the other Class, provided that this does not deprive that Class of the 15% increase to each Individual Payment.

Canada will only pay the amounts assessed as owing to Class Members and the amount agreed upon for collective measures.

## **Restorative Engagement**

Class members may also request to participate in a program of restorative engagement that has been designed to allow Class Members to share their experiences of sexual harassment, sexual assault, and/or discrimination based on gender or LGBTQ2+ status with senior CAF and/or DND representatives in a safe and respectful environment. The aim of this process is to allow Class Members to be heard and acknowledged, to contribute to culture change by increasing awareness and understanding of the experiences of Class Members and begin the process of restoring the relationship between Class Members and the CAF and DND. This program will be developed by the Sexual Misconduct Response

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Centre, in consultation with external experts. Participation in restorative engagement will be completely voluntary and the program will not include the involvement of perpetrators of the Sexual Misconduct.

### **CAF Measures**

The settlement also includes several policy measures and initiatives intended to provide support and increase awareness around the issue of Sexual Misconduct within the CAF.

These include consultations with plaintiff representatives on support for survivors of Sexual Misconduct, as well as efforts to increase gender representation and diversity in the CAF. Canada has agreed to conduct a comprehensive external review to assess the progress made by the CAF in addressing issues of Sexual Misconduct through Operation HONOUR and the Sexual Misconduct Response Centre.

More details are in a document called the proposed settlement agreement, which is available at [www.caf-dnd-sexualmisconductclassaction.com](http://www.caf-dnd-sexualmisconductclassaction.com).

### **10. How will the lawyers be paid?**

Class Counsel will not be paid until the Federal Court declares that the proposed legal fees are fair and reasonable.

Class Counsel will ask for approval of fees in the amount of \$26.56 million, plus repayment of reasonable disbursements and applicable tax. The Federal Court will decide the value of fees and disbursements to award. These amounts will be paid directly by Canada and will not be deducted from any amounts that eligible Class Members may receive.

### **Who are the lawyers representing you?**

### **11. Who are the lawyers for the Plaintiffs?**

The lawyers for the Plaintiffs are:

- Koskie Minsky LLP of Toronto, Ontario;
- Raven, Cameron, Ballantyne & Yazbeck LLP of Ottawa, Ontario;
- Wagners of Halifax, Nova Scotia;
- Acheson Sweeney Foley Sahota LLP of Victoria, British Columbia; and
- Quessy Henry St-Hilaire, avocats of Quebec City, Quebec.

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You are welcome to seek legal advice from these lawyers concerning the settlement and your claim – at any time and at no cost to you. If you want to be represented by or receive advice from another lawyer, you may hire one at your own expense to appear in court for you.

**What are my legal options?**

**12. How do I tell the court if I support or object to the proposed settlement?**

There are three ways to voice your opinion about the proposed settlement:

If you do not wish to attend the hearing, but you would like to explain why you support the settlement, you can complete a **Participation Form**. This form will include:

- |                                  |  |
|----------------------------------|--|
| 1. Submit a statement of support | <ul style="list-style-type: none"><li>• Your name, address, and telephone number;</li><li>• A statement saying that you support the proposed settlement;</li><li>• The reasons you support the proposed settlement, along with any supporting materials; and</li><li>• Your signature.</li></ul> |
|----------------------------------|--|

The Participation Form can be found at [www.caf-dnd-sexualmisconductclassaction.com](http://www.caf-dnd-sexualmisconductclassaction.com). You must mail this Form to **CAF DND Sexual Misconduct Class Action c/o Deloitte**, Bay Adelaide Centre, East Tower, 8 Adelaide Street West, Toronto, ON M5H 0A9, or email it to [cafdndmisconduct@deloitte.ca](mailto:cafdndmisconduct@deloitte.ca) and it must be received or postmarked no later than **August 30, 2019**.

If you do not wish to attend the hearing, but you would like to object to the settlement, you can also complete a **Participation Form**. This form will include:

- |                                      |  |
|--------------------------------------|--|
| 2. Object to the proposed settlement | <ul style="list-style-type: none"><li>• Your name, address, and telephone number;</li><li>• A statement saying that you object to the proposed settlement;</li><li>• The reasons you object to the proposed settlement, along with any supporting materials; and</li><li>• Your signature.</li></ul> |
|--------------------------------------|--|

The Participation Form can be found at [www.caf-dnd-sexualmisconductclassaction.com](http://www.caf-dnd-sexualmisconductclassaction.com). You must mail this Form to **CAF DND Sexual Misconduct Class Action c/o Deloitte**, Bay Adelaide Centre, East Tower, 8 Adelaide Street West, Toronto, ON M5H 0A9, or email it to [cafdndmisconduct@deloitte.ca](mailto:cafdndmisconduct@deloitte.ca) and it must be received or postmarked no later than **August 30, 2019**.

- |                                  |  |
|----------------------------------|--|
| 3. Participate at the settlement | You can attend the approval hearing at the <b>Federal Court in Ottawa, 90 Sparks Street, on September 19 and 20, 2019 at 10:00 a.m.</b> to participate in the proceeding |
|----------------------------------|--|



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hearing and voice your support or objection to the proposed settlement in person. The Court will decide if you will be permitted to make oral submissions at the time of the hearing. However, in order to be eligible to participate, you must have completed and submitted the Participation Form setting out your reasons for supporting or objecting to the proposed settlement.

**What are the details of the approval hearing?**

The Federal Court will hold a hearing to decide whether to approve the proposed settlement and the request for Plaintiffs' counsel's legal fees, disbursements and taxes (the "Approval Hearing").

**13. When and where will the court decide whether to approve the proposed settlement?**

The Approval Hearing will take place in Ottawa, Ontario at the Federal Court located at 90 Sparks, Street, on September 19 and 20, 2019 at 10:00 a.m.

The hearing date may be moved to different dates or times without additional notice. Please check [www.caf-dnd-sexualmisconductclassaction.com](http://www.caf-dnd-sexualmisconductclassaction.com) or call 1-888-626-2611 in advance if you are planning to attend.

At the hearing, the Federal Court will consider whether the proposed settlement is fair, reasonable, and in the best interests of the Class. If there are objections, the Court will consider them and will listen to people who have filed a participation form and asked to speak at the hearing.

After the hearing, the Court will decide whether to approve the proposed settlement and Class Counsel's legal fees. We do not know how long these decisions will take.

**14. Do I have to attend the hearing?**

No. Class Counsel will answer questions from the Court. However, you or your own lawyer are welcome to participate at your own expense – either to show your support for or to object to the proposed settlement. If you send a participation form, you do not have to come to the Court to talk about it. If you mailed your written participation form on time, the Court will consider it. You may also have your own lawyer attend at your own expense, but it is not necessary.

**15. May I speak at the Approval Hearing?**

Yes, you may ask the Court for permission to speak at the Approval Hearing if you wish to support or object to the proposed settlement. If you'd like to participate, you must submit a Participation Form,

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indicating you wish to speak. The Participation Form can be found at [www.caf-dnd-sexualmisconductclassaction.com](http://www.caf-dnd-sexualmisconductclassaction.com).

**16. What if I do nothing?**

If you do nothing, the Approval Hearing will proceed, and the Court will consider whether the proposed settlement is fair, reasonable, and in the best interests of the Class without your views on the matter. If the settlement is approved, you will have an opportunity to Opt Out at that time.

**GETTING MORE INFORMATION**

**17. How do I get more information?**

This notice summarizes the proposed settlement. More details are in the settlement agreement. You can get a copy of the agreement at [www.caf-dnd-sexualmisconductclassaction.com](http://www.caf-dnd-sexualmisconductclassaction.com). You can send your questions to **CAF DND Sexual Misconduct Class Action c/o Deloitte**, Bay Adelaide Centre, East Tower, 8 Adelaide Street West, Toronto, ON M5H 0A9, or by email at [cafdndmisconduct@deloitte.ca](mailto:cafdndmisconduct@deloitte.ca). You may also call the toll-free number 1-833-346-6178.

You may also seek legal advice from the lawyers for the plaintiffs concerning the settlement and your claim at any time at no cost to you.

**NOTICE OF PROPOSED SETTLEMENT IN THE CANADIAN ARMED  
FORCES/DEPARTMENT OF NATIONAL DEFENCE SEXUAL MISCONDUCT CLASS  
ACTION (SHORT FORM)**

**Are you a current or former member of the Canadian Armed Forces, or a current or former employee of the Department of National Defence or Staff of Non-Public Funds, Canadian Forces? Have you experienced sexual harassment, sexual assault or discrimination based on your sex, gender, gender identity or sexual orientation in the connection with your military service or DND or SNPF employment? If so, this lawsuit may affect you. Please read this notice carefully.**

**The Federal Court authorized this notice. This is not a solicitation from a lawyer.**

While not admitting liability, the Government of Canada (“Canada”) has agreed to a settlement regarding a class action lawsuit for current and former members of the Canadian Armed Forces (“CAF”), current and former employees of the Department of National Defence (“DND”) and/or Staff of the Non-Public Funds, Canadian Forces (“NPF”) who experienced sexual harassment, sexual assault or discrimination based on sex, gender, gender identity or sexual orientation (“Sexual Misconduct”) in connection with their military service and/or employment with the DND/SNPF. Seven former members of the CAF (the “Representative Plaintiffs”) initiated class action lawsuits.

All current or former CAF members, employees of DND and/or SNPF who have experienced Sexual Misconduct may be eligible to receive compensation under the proposed settlement if it is approved by the Court. To be eligible for a payment you must be a member of either the CAF Class or the DND/SNPF Class.

“CAF Class” is defined as:

*All current or former CAF Members who experienced Sexual Misconduct up to and including the Approval Date, who have not opted out of the Heyder or Beattie Class Actions.*

“DND/SNPF Class” is defined as:

*All current and former employees of DND and of the Staff of the Non-Public Funds, Canadian Forces, who experienced Sexual Misconduct up to and including the Approval Date, who have not Opted Out of the Heyder or Beattie Class Actions.*

A hearing to determine if the proposed settlement is fair, reasonable and in the best interests of the Class Members is scheduled to take place in Ottawa on September 19 and 20, 2019.

**NOTICE OF PROPOSED SETTLEMENT IN THE CANADIAN ARMED  
FORCES/DEPARTMENT OF NATIONAL DEFENCE SEXUAL MISCONDUCT CLASS  
ACTION (SHORT FORM)**

**What does the proposed settlement provide?**

If approved, the settlement provides:

- a) financial compensation for certain Class Members who experienced Sexual Misconduct connected with their military service and/or employment for DND/SNPF;
- b) the option to participate in a restorative engagement program with opportunities for survivors to share their experiences of Sexual Misconduct with senior CAF and/or DND representatives;
- c) changes to CAF policies and other measures addressing Sexual Misconduct in the CAF; and
- d) updates to Veterans Affairs Canada (VAC) policies related to eligibility for disability payments and reconsideration of claims.

If the Federal Court approves the proposed settlement, you may make a claim for financial compensation, and you may seek to participate in the restorative engagement program. To do so, you will have to complete an **Individual Application/Claim Form** and send it to the claims administrator during the claims period. More information on how to make a claim and how to request restorative engagement will be available if the proposed settlement is approved.

If the proposed settlement is approved by the Court, Class Members can also “**Opt Out**” if they do not want to be bound by the terms of the settlement. Information about opting out is set out below.

**What are your legal rights and options?**

1. Do nothing      If you support the settlement agreement, you do not have to do anything right now. Please note that by doing nothing, you will give up any right to object to the settlement and you will give up the right to sue Canada or others on your own or bring a Human Rights complaint in relation to any sexual harassment, sexual assault or discrimination you experienced while serving in the military or as a DND/SNPF employee.
2. Opt Out      If you don't want to be bound by the settlement if it is approved by the Court, you can Opt Out of the class action, at that time. More information about how and when to Opt Out will be provided when and if the settlement is approved. You will have 90 days from the date the Court issues an order approving the settlement to make your decision. If you Opt Out, you will not be entitled to any financial compensation from the settlement, but you will keep your right to sue Canada or others on your own or bring a Human Rights complaint in relation to any sexual harassment, sexual assault or discrimination you experienced while serving in the military, or as a DND/SNPF employee, subject to any time or other legal limitations applying to your claim.  
  
If you have commenced a legal proceeding against Canada for damages resulting from the Sexual Misconduct covered by this settlement and you do not discontinue it before the Opt Out Date fixed by the Court, you will be automatically deemed to have Opted Out of the Settlement and you will not be able to claim compensation.

**NOTICE OF PROPOSED SETTLEMENT IN THE CANADIAN ARMED  
FORCES/DEPARTMENT OF NATIONAL DEFENCE SEXUAL MISCONDUCT CLASS  
ACTION (SHORT FORM)**

Class Members who died before March 15, 2019 are not eligible for compensation under the settlement. Estates of Class Members who died before March 15, 2019 that wish to seek compensation should seek legal advice promptly regarding their options.

3. Submit a statement of support

If you do not wish to attend the hearing, but you would like to explain why you support the settlement, you can complete a **Participation Form**. This form will include your name, address, and the reasons why you support the settlement. The Participation Form can be found at [www.caf-dnd-sexualmisconductclassaction.com](http://www.caf-dnd-sexualmisconductclassaction.com). You must mail this Form to **CAF DND Sexual Misconduct Class Action c/o Deloitte**, Bay Adelaide Centre, East Tower, 8 Adelaide Street West, Toronto, ON M5H 0A9, or email it to [cafdndmisconduct@deloitte.com](mailto:cafdndmisconduct@deloitte.com) and it must be received or postmarked no later than **August 30, 2019**.
4. Object to the proposed settlement

If you do not wish to attend the hearing, but you would like to explain why you object to the settlement, you can also complete a **Participation Form**. This form will include your name, address, and the reasons why you do not support the settlement. The Participation Form can be found at [www.caf-dnd-sexualmisconductclassaction.com](http://www.caf-dnd-sexualmisconductclassaction.com). You must mail this Form to **CAF DND Sexual Misconduct Class Action c/o Deloitte**, Bay Adelaide Centre, East Tower, 8 Adelaide Street West, Toronto, ON M5H 0A9, or email it to [cafdndmisconduct@deloitte.com](mailto:cafdndmisconduct@deloitte.com) and it must be received or postmarked no later than **August 30, 2019**.
5. Participate at the settlement hearing

You can attend the approval hearing at the **Federal Court in Ottawa, 90 Sparks Street, on September 19 and 20, 2019 at 10:00 a.m.** to participate in the proceeding and voice your support or objection to the proposed settlement in person. The Court will decide if you will be permitted to make oral submissions at the time of the hearing. However, in order to be eligible to participate, you must have completed and submitted the participation form setting out your reasons for supporting or objecting to the proposed settlement.

**What kind of compensation am I eligible for?**

Your payment will depend on the type of Sexual Misconduct you experienced in connection with your military service and/or DND/SNPF employment and an assessment of the harm you suffered. It will also depend on how many Class Members submit claims. The range of individual compensation for most Class Members is between five thousand dollars (\$5,000) and fifty-five thousand dollars (\$55,000). Class Members who experienced exceptional harm (and in the case of those who have previously been denied VAC benefits in respect of that harm, and whose application for reconsideration also denied), may be eligible for amounts up to one hundred and fifty-five thousand dollars (\$155,000). Details are explained in

**NOTICE OF PROPOSED SETTLEMENT IN THE CANADIAN ARMED  
FORCES/DEPARTMENT OF NATIONAL DEFENCE SEXUAL MISCONDUCT CLASS  
ACTION (SHORT FORM)**

the proposed settlement agreement. A copy of the agreement is available here: [www.caf-dnd-sexualmisconductclassaction.com](http://www.caf-dnd-sexualmisconductclassaction.com).

**NOTICE OF PROPOSED SETTLEMENT IN THE CANADIAN ARMED  
FORCES/DEPARTMENT OF NATIONAL DEFENCE CLASS ACTION  
PRESS RELEASE**

***For Immediate Release***

**Press Release**

**Certification and Settlement Hearing Announced Regarding the Canadian  
Armed Forces/Department of National Defence Sexual Misconduct Class  
Action**

(Ottawa, ON – Month, Date) While not admitting liability, the Government of Canada has agreed to a settlement regarding class action lawsuits initiated by seven former members of the Canadian Armed Forces (CAF) on behalf of current and former members of the CAF and current and former employees of the Department of National Defence (DND) and/or Staff of the Non-Public Funds, Canadian Forces, who experienced sexual harassment, sexual assault or discrimination based on sex, gender, gender identity or sexual orientation (“Sexual Misconduct”) in connection with their military service, and/or employment.

The Federal Court will hold a hearing on **September 19 and 20, 2019** in Ottawa to decide if the proposed settlement is fair, reasonable and in the best interests of the class, and if approved, will certify these lawsuits for the purposes of settlement. The proposed settlement provides financial compensation, the option to participate in a restorative engagement program, and several other measures aimed at addressing Sexual Misconduct in the Canadian Armed Forces. The Federal Court must certify these lawsuits as class actions and approve the proposed settlement before money is available and other aspects of the settlement are implemented.

Current and former members of the CAF and current and former employees of DND and Staff of the Non-Public Funds who experienced Sexual Misconduct in the military workplace may be able to receive compensation under the proposed settlement if it is approved by the Court. The range of individual compensation for most eligible Class Members is \$5,000 and \$55,000. The payment will depend on the type of Sexual Misconduct and an assessment of the harm suffered. Payment amounts will also depend on how many Class Members submit claims in the proposed settlement. Class Members who experienced exceptional harm (and in the case of those who have previously been denied VAC benefits in respect of that harm, and whose application for reconsideration is also denied) may be eligible for amounts up to \$155,000. The details are explained in the proposed Settlement Agreement. A copy of the Settlement Agreement is available here: [www.caf-dnd-sexualmisconductclassaction.com](http://www.caf-dnd-sexualmisconductclassaction.com).

**NOTICE OF PROPOSED SETTLEMENT IN THE CANADIAN ARMED  
FORCES/DEPARTMENT OF NATIONAL DEFENCE CLASS ACTION  
PRESS RELEASE**

**Background**

If it is approved by the Court, eligible Class Members may be able to receive compensation under the proposed settlement or they may choose to opt out of the proposed settlement. They have the following legal rights and options:

1. Do nothing      If you support the settlement agreement, you do not have to do anything right now. Please note that by doing nothing, you will give up any right to object to the settlement and you will give up the right to sue Canada or others on your own or bring a Human Rights complaint in relation to any sexual harassment, sexual assault or discrimination you experienced while serving in the military or as a DND/SNPF employee.

2. Opt Out      If you don't want to be bound by the settlement if it is approved by the Court, you can Opt Out of the class action, at that time. More information about how and when to Opt Out will be provided when and if the settlement is approved. You will have 90 days from the date the Court issues an order approving the settlement to make your decision. If you Opt Out, you will not be entitled to any financial compensation from the settlement, but you will keep your right to sue Canada or others on your own or bring a Human Rights complaint in relation to any sexual harassment, sexual assault or discrimination you experienced while serving in the military, or as a DND/SNPF employee, subject to any time or other legal limitations applying to your claim.

If you have commenced a legal proceeding against Canada for damages resulting from the Sexual Misconduct covered by this settlement and you do not discontinue it before the Opt Out Date fixed by the Court, you will be automatically deemed to have Opted Out of the Settlement and you will not be able to claim compensation.

Class Members who died before March 15, 2019 are not eligible for compensation under the settlement. Estates of Class Members who died before March 15, 2019 that wish to seek compensation should seek legal advice promptly regarding their options.

3. Submit a statement of support      If you do not wish to attend the hearing, but you would like to explain why you support the settlement, you can complete a **Participation Form**. This form will include your name, address, and the reasons why you support the settlement. The Participation Form can be found at [www.caf-dnd-sexualmisconductclassaction.com](http://www.caf-dnd-sexualmisconductclassaction.com). You must mail this Form to **CAF DND Sexual Misconduct Class Action c/o Deloitte**, Bay Adelaide Centre, East Tower, 8 Adelaide Street West, Toronto, ON M5H 0A9, or email it to [cafndndmisconduct@deloitte.com](mailto:cafndndmisconduct@deloitte.com) and it must be received or postmarked no later than **August 30, 2019**.
4. Object to the      If you do not wish to attend the hearing, but you would like to explain why you



**NOTICE OF PROPOSED SETTLEMENT IN THE CANADIAN ARMED  
FORCES/DEPARTMENT OF NATIONAL DEFENCE CLASS ACTION  
PRESS RELEASE**

proposed  
settlement

object to the settlement, you can also complete a **Participation Form**. This form will include your name, address, and the reasons why you do not support the settlement. The Participation Form can be found at [www.caf-dnd-sexualmisconductclassaction.com](http://www.caf-dnd-sexualmisconductclassaction.com). You must mail this Form to **CAF DND Sexual Misconduct Class Action c/o Deloitte**, Bay Adelaide Centre, East Tower, 8 Adelaide Street West, Toronto, ON M5H 0A9, or email it to [cafdndmisconduct@deloitte.com](mailto:cafdndmisconduct@deloitte.com) and it must be received or postmarked no later than **August 30, 2019**.

5. Participate at  
the  
settlement  
hearing

You can attend the approval hearing at the **Federal Court in Ottawa, 90 Sparks Street, on September 19 and 20, 2019 at 10:00 a.m.** to participate in the proceeding and voice your support or objection to the proposed settlement in person. The Court will decide if you will be permitted to make oral submissions at the time of the hearing. However, in order to be eligible to participate, you must have completed and submitted the participation form setting out your reasons for supporting or objecting to the proposed settlement.

For more information, please visit [www.caf-dnd-sexualmisconductclassaction.com](http://www.caf-dnd-sexualmisconductclassaction.com), call 1-888-626-2611, email: [cafdndmisconduct@deloitte.ca](mailto:cafdndmisconduct@deloitte.ca), or write to CAF DND Sexual Misconduct Class Action c/o Deloitte, Bay Adelaide Centre, East Tower, 8 Adelaide Street West, Toronto, ON M5H 0A9

**NOTICE OF PROPOSED SETTLEMENT IN THE CANADIAN ARMED  
FORCES/DEPARTMENT OF NATIONAL DEFENCE CLASS ACTION  
GOOGLE/FACEBOOK NOTICE**

**GOOGLE/FACEBOOK NOTICE**

Canadian Armed Forces/Department of National Defence Sexual Misconduct Class Action  
Settlement [www.caf-dnd-sexualmisconductclassaction.com](http://www.caf-dnd-sexualmisconductclassaction.com).

[cafdndmisconduct@deloitte.ca](mailto:cafdndmisconduct@deloitte.ca) 1-888-626-2611

Were you directly affected by Sexual Misconduct in the CAF/DND in the military workplace? If so, a proposed settlement may affect your rights. Learn more about the law suit and proposed settlement, who is included, your legal rights and options, and the details of the approval hearing.

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# **TAB *B***

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## **SCHEDULE "B"**

### **DOCUMENTS DE PHASE I DE L'AVIS D'AUDIENCE CONCERNANT L'APPROBATION DU RÈGLEMENT**

#### **AVIS DE RÈGLEMENT PROPOSÉ DANS LES RECOURS COLLECTIFS POUR INCONDUITE SEXUELLE DANS LES FORCES ARMÉES CANADIENNES ET AU MINISTÈRE DE LA DÉFENSE NATIONALE (FORMULAIRE LONG)**

Êtes-vous un membre ou un ancien membre des Forces armées canadiennes, ou un employé ou un ancien employé du ministère de la Défense nationale (MDN) ou du Personnel des fonds non publics, Forces canadiennes (PFNP)? Avez-vous vécu du harcèlement sexuel, une agression sexuelle ou de la discrimination fondée sur votre sexe, votre genre, votre identité de genre ou votre orientation sexuelle en lien avec le service militaire ou en lien avec l'emploi au sein du MDN ou du PFNP? Si c'est le cas, ces recours collectifs pourraient vous toucher. Veuillez lire cet avis attentivement.

**Le présent avis a été autorisé par la Cour fédérale. Le présent document ne constitue pas une sollicitation de la part d'un avocat.**

Bien qu'il n'ait pas admis sa responsabilité, le gouvernement du Canada (le « Canada ») a accepté un règlement concernant les recours collectifs intentés pour les membres et anciens membres des Forces armées canadiennes (« FAC »), et les employés et anciens employés du ministère de la Défense nationale (« MDN ») ou du Personnel des fonds non publics, Forces canadiennes (« PFNP ») qui ont vécu du harcèlement sexuel, une agression sexuelle ou de la discrimination fondée sur le sexe, le genre, l'identité de genre ou l'orientation sexuelle (« Inconduite sexuelle ») en lien avec leur service militaire ou en lien avec leur emploi au sein du MDN ou du PFNP. Sept anciens membres des FAC (« représentants demandeurs ») ont intenté les recours collectifs.

Tous les membres ou anciens membres des FAC et les employés ou anciens employés du MDN ou du PFNP qui ont vécu de l'Inconduite sexuelle peuvent recevoir une indemnisation en vertu du règlement proposé s'il est approuvé par la Cour. Pour être admissible à un paiement, vous devez être « Membre du groupe des FAC » ou « Membre du groupe des employés du MDN/PFNP ».

« Membre du groupe des FAC » est défini comme suit :

Tous les membres ou anciens membres des FAC qui ont vécu de l'Inconduite sexuelle jusqu'à la Date d'approbation et qui n'ont pas demandé l'exclusion des recours collectifs Heyder ou Beattie.

# AVIS DE RÈGLEMENT PROPOSÉ DANS LES RECOURS COLLECTIFS POUR INCONDUITE SEXUELLE DANS LES FORCES ARMÉES CANADIENNES ET AU MINISTÈRE DE LA DÉFENSE NATIONALE (FORMULAIRE LONG)

« Membre du groupe des employés du MDN/PFNP » est défini comme suit :

Tous les employés et anciens employés du MDN et du Personnel des fonds non publics, Forces canadiennes, qui ont vécu de l'Inconduite sexuelle jusqu'à la Date d'approbation et qui n'ont pas demandé l'Exclusion des recours collectifs Heyder ou Beattie.

Une audience visant à déterminer si le règlement proposé est juste, raisonnable et dans le meilleur intérêt des Membres du groupe doit avoir lieu à Ottawa les 19 et 20 septembre 2019.

## Que prévoit le règlement proposé?

S'il est approuvé, le règlement prévoit ce qui suit :

- a) une indemnisation financière pour certains Membres du groupe qui ont vécu de l'Inconduite sexuelle en lien avec le service militaire ou en lien avec l'emploi au sein du MDN ou du PFNP;
- b) l'option de participer à un programme de démarches réparatrices pour permettre aux survivants de partager leurs expériences d'Inconduite sexuelle avec les hauts représentants des FAC ou du MDN;
- c) des changements aux politiques des FAC et d'autres mesures visant l'Inconduite sexuelle dans les FAC;
- d) des mises à jour aux politiques d'Anciens Combattants Canada (ACC) relatives à l'admissibilité aux prestations d'invalidité et le réexamen des demandes par une unité spécialisée d'employés établie pour aider à traiter ces demandes.

Si la Cour fédérale approuve le règlement proposé, vous pourrez présenter une demande d'indemnisation financière et demander de participer au programme de démarches réparatrices. Pour ce faire, vous devrez remplir un **Formulaire de demande/réclamation individuelle** et l'envoyer à l'administrateur des réclamations pendant la période de réclamation. De plus amples renseignements sur la façon de présenter une réclamation et une demande de participation au programme de démarches réparatrices seront disponibles si le règlement proposé est approuvé.

Si le règlement proposé est approuvé par la Cour, les Membres du groupe pourront également demander leur « **Exclusion** » s'ils ne veulent pas être liés par les modalités du règlement. Des renseignements sur l'option d'Exclusion sont énoncés ci-dessous.

## Quels sont vos droits et options juridiques?

- |                  |   |
|------------------|---|
| 1. Ne rien faire | Si vous appuyez l'entente de règlement, vous n'avez rien à faire pour l'instant. Veuillez noter qu'en ne faisant rien, vous renoncerez à tout droit de vous opposer au règlement et vous renoncerez au droit de poursuivre le Canada ou d'autres personnes de votre propre chef ou de déposer une plainte en matière de droits de la personne relativement au |
|------------------|---|

## AVIS DE RÈGLEMENT PROPOSÉ DANS LES RECOURS COLLECTIFS POUR INCONDUITE SEXUELLE DANS LES FORCES ARMÉES CANADIENNES ET AU MINISTÈRE DE LA DÉFENSE NATIONALE (FORMULAIRE LONG)

- harcèlement sexuel, aux agressions sexuelles ou à la discrimination que vous avez vécus pendant votre service militaire ou votre emploi au sein du MDN ou du PFNP.
2. Option d'exclusion
- Si vous ne voulez pas être lié par le règlement s'il est approuvé par la Cour, vous pourrez demander l'Exclusion du recours collectif à ce moment-là. De plus amples renseignements sur la façon et le moment de demander l'Exclusion seront fournis lorsque le règlement sera approuvé, le cas échéant. Vous aurez 90 jours à partir de la date à laquelle la Cour rendra une ordonnance approuvant le règlement pour prendre votre décision. Si vous demandez l'Exclusion, vous n'aurez droit à aucune indemnisation financière en vertu du règlement, mais vous conserverez votre droit de poursuivre le Canada ou d'autres personnes de votre propre chef ou de déposer une plainte en matière de droits de la personne relativement au harcèlement sexuel, aux agressions sexuelles ou à la discrimination que vous avez vécus pendant votre service militaire ou votre emploi au sein du MDN ou du PFNP, sous réserve de tout délai de prescription ou de toute autre limitation d'ordre légale s'appliquant à votre réclamation.
- Si vous avez entamé une procédure judiciaire contre le Canada pour des dommages-intérêts découlant de l'Inconduite sexuelle visée par le présent règlement et que vous ne l'abandonnez pas avant l'expiration du Délai d'exclusion fixé par la Cour, vous serez automatiquement réputé avoir choisi de demander l'Exclusion du règlement et vous ne pourrez pas demander d'indemnisation.
- Les Membres du groupe qui sont décédés avant le 15 mars 2019 ne sont pas admissibles à une indemnisation en vertu du règlement. Les successions des Membres du groupe décédés le ou avant le 15 mars 2019 qui souhaitent obtenir une indemnisation doivent obtenir rapidement des conseils juridiques au sujet de leurs options.
3. Soumission d'une déclaration d'appui
- Si vous ne souhaitez pas assister à l'audience, mais que vous souhaitez expliquer pourquoi vous appuyez le règlement, vous pouvez remplir un Formulaire de participation. Ce formulaire comprendra votre nom, votre adresse et les raisons pour lesquelles vous appuyez le règlement. Le Formulaire de participation se trouve à [fac-mdn-recourscollectifinconduitesexuelle.com](http://fac-mdn-recourscollectifinconduitesexuelle.com). Vous devez envoyer ce formulaire par la poste à **FAC MDN Recours Collectif Inconduite Sexuelle a/s Deloitte**, Centre Baie Adélaïde, Tour Est, 8 rue Adélaïde Ouest, Toronto (Ontario) M5H 0A9, ou par courriel à [facmdninconduite@deloitte.ca](mailto:facmdninconduite@deloitte.ca), et il doit être reçu ou oblitéré au plus tard le 30 août 2019.
4. Opposition au règlement proposé
- Si vous ne souhaitez pas assister à l'audience, mais que vous souhaitez expliquer pourquoi vous vous opposez au règlement, vous pouvez également remplir un Formulaire de participation. Ce formulaire comprendra votre nom, votre adresse et les raisons pour lesquelles vous vous opposez au règlement. Le Formulaire de participation se trouve à [fac-mdn-recourscollectifinconduitesexuelle.com](http://fac-mdn-recourscollectifinconduitesexuelle.com). Vous devez envoyer ce formulaire par la poste à **FAC MDN Recours Collectif Inconduite Sexuelle a/s Deloitte**, Centre Baie Adélaïde, Tour Est, 8 rue Adélaïde Ouest, Toronto (Ontario) M5H 0A9, ou par courriel au [facmdninconduite@deloitte.ca](mailto:facmdninconduite@deloitte.ca), et il doit être reçu ou oblitéré au plus tard le 30 août 2019.
5. Participation à l'audience de règlement
- Vous pouvez assister à l'audience d'approbation à la Cour fédérale à Ottawa, au 90, rue Sparks, les 19 et 20 septembre 2019, à 10 h, pour participer à l'instance et exprimer en personne votre appui ou votre opposition au règlement proposé. La Cour décidera si vous serez autorisé à présenter des observations orales au moment de l'audience. Toutefois, pour être admissible à participer, vous devez avoir rempli et soumis le formulaire de

# **AVIS DE RÈGLEMENT PROPOSÉ DANS LES RECOURS COLLECTIFS POUR INCONDUITE SEXUELLE DANS LES FORCES ARMÉES CANADIENNES ET AU MINISTÈRE DE LA DÉFENSE NATIONALE (FORMULAIRE LONG)**

participation en indiquant les raisons pour lesquelles vous appuyez le règlement proposé ou que vous vous y opposez.

## **À quel genre d'indemnisation suis-je admissible?**

Votre paiement dépendra du type d'Inconduite sexuelle que vous avez vécu en lien avec le service militaire ou en lien avec l'emploi au sein du MDN ou du PFNP, ou les deux, et d'une évaluation du préjudice que vous avez subi. Il dépendra aussi du nombre de Membres du groupe qui présenteront des réclamations. L'échelle d'indemnisation individuelle pour la plupart des Membres du groupe se situe entre cinq mille dollars (5 000 \$) et cinquante-cinq mille dollars (55 000 \$). Les Membres du groupe qui ont subi un préjudice exceptionnel (et dans le cas de ceux qui se sont déjà vu refuser des prestations d'Anciens Combattants Canada (ACC) à l'égard de ce préjudice et dont la demande de réexamen a également été refusée) peuvent être admissibles à des montants pouvant atteindre cent cinquante-cinq mille dollars (155 000 \$). Les détails sont fournis dans le règlement proposé. Une copie du règlement proposé se trouve à l'adresse [fac-mdn-recourscollectifinconduitesexuelle.com](http://fac-mdn-recourscollectifinconduitesexuelle.com).

## **CE QUE CONTIENT LE PRÉSENT AVIS**

### **Renseignements de base**

1. Pourquoi ai-je reçu le présent avis?
2. Qu'est-ce qu'un recours collectif?
3. En quoi consiste ce recours collectif?
4. Pourquoi y a-t-il un règlement proposé?

### **Qui est visé par le recours collectif et le règlement proposé?**

5. Qui sont les représentants demandeurs dans ce recours collectif?
6. Qui d'autre est visé par le règlement proposé?
7. Qu'arrive-t-il si je ne souhaite pas participer au recours collectif ou au règlement?
8. Que dois-je faire si je ne suis pas certain d'être visé par le recours collectif ou le règlement proposé?

### **Avantages du règlement proposé**

9. Que prévoit le règlement proposé?
10. Comment les honoraires des avocats seront-ils payés?

# **AVIS DE RÈGLEMENT PROPOSÉ DANS LES RECOURS COLLECTIFS POUR INCONDUITE SEXUELLE DANS LES FORCES ARMÉES CANADIENNES ET AU MINISTÈRE DE LA DÉFENSE NATIONALE (FORMULAIRE LONG)**

## **Qui sont les avocats qui vous représentent?**

11. Qui sont les avocats des représentants demandeurs?

## **Quelles sont mes options juridiques?**

12. Comment puis-je faire savoir à la Cour que j'appuie le règlement proposé ou que je m'y oppose?

## **Quels sont les détails de l'audience d'approbation?**

13. À quel moment et à quel endroit la Cour rendra-t-elle sa décision d'approuver ou non le règlement proposé?

14. Suis-je tenu d'assister à l'audience?

15. Puis-je être entendu à l'audience?

16. Qu'arrive-t-il si je ne fais rien?

## **Renseignements supplémentaires**

17. Comment puis-je obtenir de plus amples renseignements?

## **Renseignements de base**

### **1. Pourquoi ai-je reçu le présent avis?**

Bien qu'il n'ait pas admis sa responsabilité, le Canada a accepté un règlement des recours collectifs proposés par d'anciens membres des FAC alléguant de l'Inconduite sexuelle en lien avec le service militaire. Les parties ont convenu d'inclure les Membres du groupe des employés du MDN/PFNP pour veiller à ce que certaines personnes travaillant avec le groupe des FAC dans le Milieu de travail militaire soient admissibles à une indemnisation au moyen de ce règlement.

La Cour fédérale a autorisé cet avis pour vous informer qu'une audience est prévue pour approuver ce règlement. Si vous avez reçu cet avis, vos droits et vos intérêts juridiques pourraient être touchés par le règlement proposé. Cet avis explique ce qui se passe et les mesures que vous pouvez prendre.

### **2. Qu'est-ce qu'un recours collectif?**

Dans un recours collectif, une ou plusieurs personnes, appelées « **représentants demandeurs** », intentent une action en justice pour le compte de personnes qui ont des revendications similaires. Toutes les personnes ayant des revendications similaires sont désignées comme les « **membres du groupe** ». La Cour règle les questions pour toutes les personnes touchées, sauf celles qui demandent l'Exclusion du recours collectif.



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## **3. En quoi consiste ce recours collectif?**

Les recours collectifs proposés concernent les membres des FAC et les employés du MDN et du PFNP qui ont vécu du harcèlement sexuel, une agression sexuelle ou de la discrimination fondée sur le sexe, le genre, l'identité de genre et l'orientation sexuelle en lien avec le service militaire ou en lien avec l'emploi au sein du MDN et du PFNP. Le Canada n'a pas admis sa responsabilité, cependant, il a accepté un règlement.

## **4. Pourquoi y a-t-il un règlement proposé?**

Les représentants demandeurs et le Canada ont convenu d'un règlement proposé. En acceptant le règlement proposé, les parties évitent ainsi les coûts et l'incertitude qu'entraîneraient un procès et l'attente du jugement, et les Membres du groupe obtiennent une indemnisation financière et un accès à un programme de démarches réparatrices, qui sont décrits dans le présent avis et dans le règlement proposé. Dans la présente affaire, cela signifie également que les Membres du groupe n'auront pas à témoigner devant la Cour. Les représentants demandeurs et leurs avocats sont d'avis que le règlement proposé est dans le meilleur intérêt de tous les Membres du groupe.

## **Qui est visé par la poursuite et le règlement proposé?**

## **5. Qui sont les représentants demandeurs dans ce recours collectif?**

Les quatre anciens membres des FAC qui ont intenté les poursuites devant la Cour fédérale sont Sherry Heyder, Amy Graham, Nadine Schultz-Nielsen et Larry Beattie. Vous pouvez communiquer avec eux par l'entremise des Avocats des membres du groupe. Les coordonnées des Avocats des membres du groupe sont disponibles au [fac-mdn-recourscollectifinconduitesexuelle.com](http://fac-mdn-recourscollectifinconduitesexuelle.com). D'autres recours collectifs semblables ont été intentés en Nouvelle-Écosse, au Québec et en Colombie-Britannique. Les demandeurs dans ces recours collectifs sont Glynis Rogers, Alexandre Tessier et Nicola Peffers.

## **6. Qui d'autre est visé par le règlement proposé?**

Le règlement proposé inclut tous les membres du groupe des FAC, qui sont définis comme suit :

*Tous les membres ou anciens Membres des FAC qui ont vécu de l'Inconduite sexuelle jusqu'à la Date d'approbation et qui n'ont pas demandé l'Exclusion des recours collectifs Heyder ou Beattie.*

Les Membres des FAC comprennent les officiers et les militaires de rang de toutes les composantes des Forces armées canadiennes (Force régulière et Réserve), ainsi que de tout individu ayant servi dans une branche, un corps, un service ou un autre groupe au sein des Forces armées de la Souveraine pour le Canada, ou qui en fait partie.

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Il est entendu que le terme « membre » comprend une recrue qui suit l'instruction de base et « Force de réserve » comprend la Première réserve, le Service d'administration et d'instruction des organisations de cadets (SAIOC), les Rangers canadiens et la Réserve supplémentaire.

Le règlement proposé inclut également les fonctionnaires du ministère de la Défense nationale et du Personnel des fonds non publics, Forces canadiennes. Les Membres du groupe des employés du MDN/PFPN sont définis comme suit :

*Tous les employés et les anciens employés du MDN et du Personnel des fonds non publics, Forces canadiennes, qui ont vécu de l'Inconduite sexuelle jusqu'à la Date d'approbation et qui n'ont pas demandé l'Exclusion des recours collectifs Heyder ou Beattie.*

Il est entendu que le terme « employé » comprend les fonctionnaires ayant occupé des postes de toutes les durées, y compris les employés nommés pour une période indéterminée, les employés nommés pour une période déterminée, les employés occasionnels et les étudiants, mais ne comprend pas les membres de la fonction publique fédérale qui entretiennent des relations d'emploi avec d'autres ministères ou organismes fédéraux qui travaillent avec les FAC ou le MDN. Si le règlement est approuvé, tous les Membres du groupe, sauf ceux qui ont valablement demandé l'Exclusion, seront liés par le règlement proposé et seront couverts par les quittances accordées dans le cadre du règlement proposé.

### **7. Qu'arrive-t-il si je ne souhaite pas participer à la poursuite ou au règlement?**

Si vous ne voulez pas être lié par le règlement s'il est approuvé, vous aurez l'occasion de demander l'« **Exclusion** » après que la Cour aura décidé d'approuver ou non le règlement. Les parties ont convenu que le Délai d'exclusion sera de 90 jours à compter de la Date d'approbation (la date à laquelle la Cour rend une ordonnance approuvant le règlement).

Si vous demandez l'Exclusion, vous n'aurez droit à aucune indemnisation financière liée au règlement, mais vous conserverez votre droit de poursuivre le Canada ou d'autres personnes de votre propre chef ou de déposer une plainte en matière de droits de la personne au sujet des mêmes réclamations en justice que celles visées par la poursuite, sous réserve de tout délai de prescription ou de toute autre limitation d'ordre légal s'appliquant à votre réclamation.

Vous avez peut-être déjà entamé une procédure judiciaire contre le Canada pour des dommages-intérêts découlant de l'Inconduite sexuelle vécue en lien avec le service militaire ou en lien avec l'emploi au sein du MDN ou du PFPN. Si vous ne l'abandonnez pas au plus tard à la date limite d'Exclusion fixée par la Cour au moment de l'approbation du règlement, vous serez automatiquement réputé avoir choisi de demander l'Exclusion du règlement.

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### 8. Que dois-je faire si je ne suis pas certain d'être visé par les recours collectifs ou le règlement proposé?

Il y a des gens qui peuvent vous aider à comprendre vos droits et les prochaines étapes. Si vous n'êtes pas certain d'être visé par le règlement proposé, vous pouvez composer le 1-888-626-2611 pour poser vos questions ou consulter le site [fac-mdn-recourscollectifinconduitesexuelle.com](http://fac-mdn-recourscollectifinconduitesexuelle.com) ou envoyer un courriel au [facmdninconduite@deloitte.ca](mailto:facmdninconduite@deloitte.ca).

### Avantages du règlement proposé

### 9. Que prévoit le règlement proposé?

S'il est approuvé, le règlement prévoit :

- a) une indemnisation financière pour certains Membres du groupe qui ont vécu de l'Inconduite sexuelle en lien avec le service militaire ou en lien avec l'emploi au sein du MDN ou du PFNP;
- b) l'option de participer à un programme de démarches réparatrices pour permettre aux survivants de partager leurs expériences d'Inconduite sexuelle avec les hauts représentants des FAC ou du MDN;
- c) des changements aux politiques des FAC et d'autres mesures visant l'Inconduite sexuelle dans les FAC;
- d) des modifications aux politiques d'Anciens Combattants Canada (ACC) relatives à l'admissibilité aux prestations d'invalidité et le réexamen des demandes par une unité spécialisée d'employés établie pour aider à traiter ces demandes.

### Résumé des modalités d'indemnisation

Le Canada a accepté de verser un maximum de huit cents millions de dollars (800 millions de dollars) à l'égard des Membres du groupe des FAC (le « **Limite des indemnités financières agrégées – groupe des FAC** ») et un maximum de cent millions de dollars (100 millions de dollars) à l'égard des Membres du groupe des employés du MDN /PFNP (le « **Limite des indemnités financières agrégées – groupe des employés du MDN/PFNP** ») qui sont admissibles à une indemnisation, comme suit (les « **Sommes individuelles** ») :

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Catégorie	Niveau d'indemnisation	
A. Harcèlement sexuel, discrimination fondée sur le sexe et l'appartenance à la communauté LGBTQ2+	Limité aux femmes et aux personnes qui s'identifient comme membres de la communauté LGBTQ2+	5 000 \$
	Limité aux incidents survenus après le 17 avril 1985	
B1. Harcèlement sexuel ciblé, continu ou grave, ou agression sexuelle sous la forme de contacts sexuels non désirés	Préjudice faible	5 000 \$
	Préjudice modéré	10 000 \$
	Préjudice élevé	20 000 \$
B2. Agression sexuelle sous la forme d'attaques de nature sexuelle ou d'activité sexuelle à laquelle la personne n'a pas consenti ou n'était pas en mesure de consentir	Préjudice faible	30 000 \$
	Préjudice modéré	40 000 \$
	Préjudice élevé	50 000 \$
C. Paiement bonifié : Les Membres du groupe qui souffrent ou ont souffert de SSPT ou d'autres blessures mentales diagnostiquées, ou de blessures physiques découlant d'une agression sexuelle ou de harcèlement sexuel pour lesquelles, dans le cas des Membres des FAC, des prestations d'ACC ont été demandées et refusées ou pour lesquelles un réexamen a été demandé et refusé.	Préjudice faible	50 000 \$
	Préjudice modéré	75 000 \$
	Préjudice élevé	100 000 \$

Des renseignements plus détaillés sur l'admissibilité des Membres du groupe, les seuils de qualification de préjudice et les limites d'admissibilité se trouvent dans l'entente de règlement proposé, qui se trouve ici : [fac-mdn-recourscollectifinconduitesexuelle.com](http://fac-mdn-recourscollectifinconduitesexuelle.com).

Si le montant total des paiements versés aux Membres du groupe des FAC est inférieur à deux cents millions de dollars (200 millions de dollars), la somme payable à chaque Membre du groupe des FAC pourrait augmenter jusqu'à concurrence de 15 %. Si le montant total à payer aux Membres du groupe des FAC est toujours inférieur à 200 millions de dollars, le Canada mettra à disposition un montant égal à la différence, dans la mesure où il ne dépasse pas vingt-cinq millions de dollars (25 millions de dollars), qui sera utilisé pour des mesures collectives visant à accroître la sensibilisation et le changement de culture, comme convenu par les parties. Si le montant total des paiements aux Membres du groupe des FAC dépasse 200 millions de dollars, le Canada mettra à disposition deux millions de dollars (2 millions de dollars) qui pourront être utilisés pour des mesures collectives visant à accroître la sensibilisation et le changement de culture, comme convenu par les parties. Le montant total des paiements individuels aux

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Membres du groupe des FAC ne peut dépasser 800 millions de dollars. Si le montant total des paiements versés aux Membres du groupe des FAC dépasse 800 millions de dollars, les sommes individuelles aux Membres du groupe des FAC seront réduites au prorata, de sorte que le montant total des paiements aux Membres du groupe des FAC ne dépasse pas 800 millions de dollars.

Si le montant total des paiements versés aux Membres du groupe des employés du MDN /PFNP est inférieur à vingt-cinq millions de dollars (25 millions de dollars), la somme payable à chaque Membre du groupe des employés du MDN/PFNP pourrait augmenter jusqu'à concurrence de 15 %. Si le montant total des paiements versés aux Membres du groupe des employés du MDN/PFNP dépasse 100 millions de dollars, les sommes individuelles aux Membres du groupe des employés du MDN/PFNP seront réduits au prorata, de sorte que le montant total des paiements aux Membres du groupe des employés du MDN/PFNP ne dépasse pas 100 millions de dollars.

Si le montant total des paiements aux Membres du groupe des FAC ou aux Membres du groupe des employés du MDN/PFNP dépasse les fonds disponibles pour chaque groupe, mais que le montant total des paiements à l'autre groupe ne dépasse pas les fonds disponibles, des fonds peuvent être transférés au profit de l'autre groupe, pourvu que cette réaffectation ne prive pas ce groupe de l'augmentation de 15 % de chaque paiement individuel.

Le Canada ne paiera que les sommes jugées dues aux Membres du groupe et le montant convenu pour les mesures collectives.

### **Démarches réparatrices**

Les Membres du groupe peuvent également demander à participer à un programme de démarches réparatrices qui a été conçu pour leur permettre de partager leurs expériences de harcèlement sexuel, d'agression sexuelle ou de discrimination fondée sur le sexe ou l'appartenance à la communauté LGBTQ2+ avec les hauts représentants des FAC ou du MDN dans un environnement sécuritaire et respectueux. Le but de ce processus est de permettre aux Membres du groupe d'être entendus et reconnus, de contribuer au changement de culture en favorisant la prise de conscience et la compréhension des expériences des Membres du groupe, et de commencer le processus de rétablissement de la relation entre les Membres du groupe, les FAC et le MDN. Ce programme sera élaboré par le Centre d'intervention sur l'inconduite sexuelle, en consultation avec des experts externes. La participation à une démarche réparatrice sera entièrement volontaire et n'inclura pas la participation des auteurs des actes d'Inconduite sexuelle.

### **Mesures des FAC**

Le règlement comprend également plusieurs mesures et initiatives stratégiques visant à fournir du soutien et à accroître la sensibilisation à la question de l'Inconduite sexuelle au sein des FAC.

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Ces mesures comprennent des consultations avec les représentants demandeurs sur le soutien aux survivants d'Inconduite sexuelle, ainsi que des efforts pour accroître la représentation des genres et la diversité au sein des FAC. Le Canada a accepté de mener un examen externe exhaustif afin d'évaluer les progrès réalisés par les FAC pour régler les problèmes d'Inconduite sexuelle dans le cadre de l'Opération HONOUR et par l'intermédiaire du Centre d'intervention sur l'inconduite sexuelle.

Vous trouverez plus de détails dans un document intitulé entente de règlement proposé, qui est accessible à l'adresse [fac-mdn-recourscollectifinconduitesexuelle.com](http://fac-mdn-recourscollectifinconduitesexuelle.com).

### **10. Comment les honoraires des avocats seront-ils payés?**

Les Avocats des membres du groupe ne seront pas rémunérés jusqu'à ce que la Cour fédérale ne déclare que le montant des honoraires juridiques est juste et raisonnable.

Les Avocats des membres du groupe demanderont l'approbation d'honoraires de 26,56 millions de dollars, plus le remboursement des débours raisonnables et les taxes applicables. La Cour fédérale décidera de la valeur des honoraires et des débours à adjuger. Ces montants seront versés directement par le Canada et ne seront pas déduits des montants que les Membres du groupe admissibles pourraient recevoir.

### **Qui sont les avocats qui vous représentent?**

#### **11. Qui sont les avocats des demandeurs?**

Les avocats des demandeurs sont :

- Koskie Minsky LLP de Toronto (Ontario);
- Raven, Cameron, Ballantyne & Yazbeck LLP/s.r.l. d'Ottawa (Ontario);
- Wagners de Halifax (Nouvelle-Écosse);
- Acheson Sweeney Foley Sahota LLP de Victoria (Colombie-Britannique);
- Quessy Henry St-Hilaire, avocats, de Québec (Québec).

Vous pouvez demander des conseils juridiques à ces avocats au sujet du règlement et de votre réclamation, en tout temps et sans frais pour vous. Si vous voulez être représenté par un autre avocat ou recevoir des conseils d'un autre avocat, vous pourrez en retenir un à vos propres frais pour qu'il compare en cour pour vous.

### **Quelles sont mes options juridiques?**

#### **12. Comment puis-je faire savoir à la Cour que j'appuie le règlement proposé ou que je m'y oppose?**

Il y a trois façons d'exprimer votre avis sur le règlement proposé :

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Si vous ne souhaitez pas assister à l'audience, mais que vous souhaitez expliquer pourquoi vous appuyez le règlement, vous pouvez remplir un Formulaire de participation. Ce formulaire comprend :

1. Soumission d'une déclaration d'appui
  - votre nom, votre adresse et votre numéro de téléphone;
  - un énoncé expliquant que vous appuyez le règlement proposé;
  - les raisons de votre appui au règlement proposé, ainsi que tout document justificatif;
  - votre signature.

Le Formulaire de participation se trouve à [fac-mdn-recourscollectifinconduitesexuelle.com](http://fac-mdn-recourscollectifinconduitesexuelle.com). Vous devez envoyer ce formulaire par la poste à FAC MDN Recours Collectif Inconduite Sexuelle a/s Deloitte, Centre Baie Adélaïde, Tour Est, 8 rue Adélaïde Ouest, Toronto (Ontario) M5H 0A9, ou par courriel à [facmdninconduite@deloitte.ca](mailto:facmdninconduite@deloitte.ca), et il doit être reçu ou oblitéré au plus tard le 30 août 2019.

Si vous ne souhaitez pas assister à l'audience, mais que vous souhaitez expliquer pourquoi vous vous opposez au règlement, vous pouvez également remplir un formulaire de participation. Ce formulaire comprend :

2. Opposition au règlement proposé
  - votre nom, votre adresse et votre numéro de téléphone;
  - un énoncé expliquant que vous vous opposez au règlement proposé;
  - les raisons de votre opposition au règlement proposé, ainsi que tout document justificatif;
  - votre signature.

Le Formulaire de participation se trouve à [fac-mdn-recourscollectifinconduitesexuelle.com](http://fac-mdn-recourscollectifinconduitesexuelle.com). Vous devez envoyer ce formulaire par la poste à FAC MDN Recours Collectif Inconduite Sexuelle a/s Deloitte, Centre Baie Adélaïde, Tour Est, 8 rue Adélaïde Ouest, Toronto (Ontario) M5H 0A9, ou par courriel à [facmdninconduite@deloitte.ca](mailto:facmdninconduite@deloitte.ca), et il doit être reçu ou oblitéré au plus tard le 30 août 2019.

3. Participation à l'audience de règlement

Vous pouvez assister à l'audience d'approbation à la Cour fédérale à Ottawa, au 90, rue Sparks, les 19 et 20 septembre 2019, à 10 h, pour participer à l'instance et exprimer en personne votre appui ou votre opposition au règlement proposé. La Cour décidera si vous serez autorisé à présenter des observations orales au moment de l'audience. Toutefois, pour être admissible à participer, vous devez avoir rempli et soumis le Formulaire de participation indiquant les raisons pour lesquelles vous appuyez le règlement proposé ou que vous vous y opposez.

### Quels sont les détails de l'audience d'approbation?

La Cour fédérale tiendra une audience pour décider si elle doit approuver ou non le règlement proposé et la demande des Avocats des membres du groupe à l'égard des honoraires, des débours et des taxes (l'« audience d'approbation »).

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### **13. À quel moment et à quel endroit la Cour rendra-t-elle sa décision d'approuver ou non le règlement proposé?**

L'audience d'approbation aura lieu à Ottawa (Ontario) à la Cour fédérale, au 90, rue Sparks, les 19 et 20 septembre 2019, à 10 h.

La date ou l'heure de l'audience peuvent être modifiées sans avis supplémentaire. Veuillez consulter le site [fac-mdn-recourscollectifinconduitesexuelle.com](http://fac-mdn-recourscollectifinconduitesexuelle.com) ou téléphoner au 1-888-626-2611 à l'avance si vous prévoyez y assister.

À l'audience, la Cour fédérale déterminera si le règlement proposé est juste, raisonnable et dans le meilleur intérêt des Membres du groupe. S'il y a des objections, la Cour les examinera et écoutera les personnes qui ont déposé un formulaire de participation et qui ont demandé à prendre la parole à l'audience.

Après l'audience, la Cour décidera si elle approuve ou non le règlement proposé, ainsi que les honoraires des Avocats des membres du groupe. Nous ne savons pas combien de temps ces décisions prendront avant d'être rendues.

### **14. Suis-je tenu d'assister à l'audience?**

Non. Les Avocats des membres du groupe répondront aux questions de la Cour. Cependant, votre avocat et vous-même êtes libres d'y assister, à vos frais, afin d'exprimer votre appui ou votre opposition au règlement proposé. Si vous envoyez un formulaire de participation, vous n'avez pas à assister à l'audience pour en discuter. Si vous avez envoyé votre formulaire de participation par la poste à temps, la Cour en tiendra compte. Vous pouvez aussi demander à votre propre avocat d'assister à vos frais, mais ce n'est pas nécessaire.

### **15. Puis-je être entendu à l'audience?**

Oui, vous pouvez demander à la Cour la permission de prendre la parole à l'audience d'approbation si vous souhaitez appuyer le règlement proposé ou vous y opposer. Si vous souhaitez participer, vous devez soumettre un Formulaire de participation indiquant que vous souhaitez prendre la parole. Le Formulaire de participation se trouve à l'adresse [fac-mdn-recourscollectifinconduitesexuelle.com](http://fac-mdn-recourscollectifinconduitesexuelle.com).

### **16. Qu'arrive-t-il si je ne fais rien?**

Si vous ne faites rien, l'audience d'approbation aura lieu, et la Cour déterminera si le règlement proposé est juste, raisonnable et dans le meilleur intérêt du groupe sans tenir compte de votre opinion sur la question. Si le règlement est approuvé, vous aurez l'occasion de demander l'Exclusion à ce moment-là.



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**RENSEIGNEMENTS SUPPLÉMENTAIRES**

**17. Comment puis-je obtenir de plus amples renseignements?**

Le présent avis résume le règlement proposé. Vous trouverez plus de détails dans le règlement lui-même. Vous pouvez obtenir une copie du règlement à l'adresse [fac-mdn-recourscollectifinconduitesexuelle.com](http://fac-mdn-recourscollectifinconduitesexuelle.com). Vous pouvez envoyer vos questions par la poste à : **FAC MDN Recours Collectif Inconduite Sexuelle a/s Deloitte**, Centre Baie Adélaïde, Tour Est, 8 rue Adelaide Ouest, Toronto (Ontario) M5H 0A9, ou par courriel à : [facmdninconduite@deloitte.ca](mailto:facmdninconduite@deloitte.ca). Vous pouvez aussi téléphoner au 1-833-346-6178 (sans frais).

Vous pouvez également demander des conseils juridiques aux avocats des représentants demandeurs au sujet du règlement et de votre réclamation en tout temps, sans frais pour vous.

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INCONDUITE SEXUELLE DANS LES FORCES ARMÉES CANADIENNES ET AU  
MINISTÈRE DE LA DÉFENSE NATIONALE (FORMULAIRE ABRÉGÉ)**

Êtes-vous un membre ou un ancien membre des Forces armées canadiennes, ou un employé ou un ancien employé du ministère de la Défense nationale (MDN) ou du Personnel des fonds non publics, Forces canadiennes (PFNP)? Avez-vous vécu du harcèlement sexuel, une agression sexuelle ou de la discrimination fondée sur votre sexe, votre genre, votre identité de genre ou votre orientation sexuelle en lien avec le service militaire ou en lien avec l'emploi au sein du MDN ou du PFNP? Si c'est le cas, ces recours collectifs pourraient vous toucher. Veuillez lire cet avis attentivement.

**Le présent avis a été autorisé par la Cour fédérale. Le présent document ne constitue pas  
une sollicitation de la part d'un avocat.**

Bien qu'il n'ait pas admis sa responsabilité, le gouvernement du Canada (le « **Canada** ») a accepté un règlement concernant les recours collectifs intentés pour les membres et anciens membres des Forces armées canadiennes (« **FAC** »), et les employés et anciens employés du ministère de la Défense nationale (« **MDN** ») ou du Personnel des fonds non publics, Forces canadiennes (« **PFNP** ») qui ont vécu du harcèlement sexuel, une agression sexuelle ou de la discrimination fondée sur le sexe, le genre, l'identité de genre ou l'orientation sexuelle (« **Inconduite sexuelle** ») en lien avec leur service militaire ou en lien avec leur emploi au sein du MDN ou du PFNP. Sept anciens membres des FAC (« **représentants demandeurs** ») ont intenté des recours collectifs.

Tous les membres ou anciens membres des FAC et les employés ou anciens du MDN ou du PFNP qui ont vécu de l'Inconduite sexuelle peuvent recevoir une indemnisation en vertu du règlement proposé s'il est approuvé par la Cour. Pour être admissible à un paiement, vous devez être Membre du groupe des FAC ou Membre du groupe des employés du MDN/PFNP.

« **Membre du groupe des FAC** » est défini comme suit :

*Tous les membres ou anciens membres des FAC qui ont vécu de l'Inconduite sexuelle jusqu'à la Date d'approbation et qui n'ont pas demandé l'Exclusion des recours collectifs Heyder ou Beattie.*

« **Membre du groupe des employés du MDN/PFNP** » est défini comme suit :

*Tous les employés et anciens employés du MDN et du Personnel des fonds non publics, Forces canadiennes, qui ont vécu de l'Inconduite sexuelle jusqu'à la Date d'approbation et qui n'ont pas demandé l'Exclusion des recours collectifs Heyder ou Beattie.*

## **AVIS DE RÈGLEMENT PROPOSÉ DANS LES RECOURS COLLECTIFS POUR INCONDUITE SEXUELLE DANS LES FORCES ARMÉES CANADIENNES ET AU MINISTÈRE DE LA DÉFENSE NATIONALE (FORMULAIRE ABRÉGÉ)**

Une audience visant à déterminer si le règlement proposé est juste, raisonnable et dans le meilleur intérêt des Membres du groupe doit avoir lieu à Ottawa les 19 et 20 septembre 2019.

### **Que prévoit le règlement proposé?**

S'il est approuvé, le règlement prévoit ce qui suit :

- a) une indemnisation financière pour certains Membres du groupe qui ont vécu de l'Inconduite sexuelle en lien avec le service militaire ou en lien avec l'emploi au sein du MDN ou du PFNP;
- b) l'option de participer à un programme de démarches réparatrices pour permettre aux survivants de partager leurs expériences d'Inconduite sexuelle avec les hauts représentants des FAC ou du MDN;
- c) des changements aux politiques des FAC et d'autres mesures visant l'Inconduite sexuelle dans les FAC;
- d) des mises à jour aux politiques d'Anciens Combattants Canada (ACC) relatives à l'admissibilité aux prestations d'invalidité et le réexamen des demandes par une unité spécialisée d'employés établie pour aider à traiter ces demandes.

Si la Cour fédérale approuve le règlement proposé, vous pourrez présenter une demande d'indemnisation financière et demander de participer au programme de démarches réparatrices. Pour ce faire, vous devrez remplir un **Formulaire de demande/réclamation individuelle** et l'envoyer à l'administrateur des réclamations pendant la période de réclamation. De plus amples renseignements sur la façon de présenter une réclamation et une demande de participation au programme de démarches réparatrices seront disponibles si le règlement proposé est approuvé.

Si le règlement proposé est approuvé par la Cour, les Membres du groupe peuvent également demander leur « **Exclusion** » s'ils ne veulent pas être liés par les modalités du règlement. Des renseignements sur l'option d'exclusion sont présentés ci-dessous.

### **Quels sont vos droits et options juridiques?**

- |                       |  |
|-----------------------|--|
| 1. Ne rien faire      | Si vous appuyez l'entente de règlement, vous n'avez rien à faire pour l'instant. Veuillez noter qu'en ne faisant rien, vous renoncerez à tout droit de vous opposer au règlement et vous renoncerez au droit de poursuivre le Canada ou d'autres personnes de votre propre chef ou de déposer une plainte en matière de droits de la personne relativement à l'Inconduite sexuelle que vous avez vécue pendant votre service militaire ou votre emploi au sein du MDN ou du PFNP.  |
| 2. Option d'exclusion | Si vous ne voulez pas être lié par le règlement s'il est approuvé par la Cour, vous pourrez demander l'Exclusion du recours collectif à ce moment-là. De plus amples renseignements sur la façon et le moment de demander l'Exclusion seront fournis lorsque le règlement sera approuvé, le cas échéant. Vous aurez 90 jours à partir de la date à laquelle la Cour rendra une ordonnance approuvant le règlement pour prendre votre décision. Si vous demandez l'Exclusion, vous n'aurez droit à aucune indemnisation financière en vertu du règlement, mais vous conserverez votre droit |

## AVIS DE RÈGLEMENT PROPOSÉ DANS LES RECOURS COLLECTIFS POUR INCONDUITE SEXUELLE DANS LES FORCES ARMÉES CANADIENNES ET AU MINISTÈRE DE LA DÉFENSE NATIONALE (FORMULAIRE ABRÉGÉ)

de poursuivre le Canada ou d'autres personnes de votre propre chef ou de déposer une plainte en matière de droits de la personne relativement à l'Inconduite sexuelle que vous avez vécue pendant votre service militaire ou votre emploi au sein du MDN ou du PFPN, sous réserve de tout délai de prescription ou de toute autre limitation d'ordre légal s'appliquant à votre réclamation.

Si vous avez entamé une procédure judiciaire contre le Canada pour des dommages-intérêts découlant de l'Inconduite sexuelle visée par le présent règlement et que vous ne l'abandonnez pas avant le Délai d'exclusion fixé par la Cour, vous serez automatiquement réputé avoir choisi de demander l'Exclusion du règlement et vous ne pourrez pas demander d'indemnisation.

Les Membres du groupe qui sont décédés avant le 15 mars 2019 ne sont pas admissibles à une indemnisation en vertu du règlement. Les successions des Membres du groupe décédés le ou avant le 15 mars 2019 qui souhaitent obtenir une indemnisation doivent obtenir rapidement des conseils juridiques au sujet de leurs options.

- |  |  |
|--|--|
| 3. Soumission d'une déclaration d'appui    | Si vous ne souhaitez pas assister à l'audience, mais que vous souhaitez expliquer pourquoi vous appuyez le règlement, vous pouvez remplir un <b>Formulaire de participation</b> . Ce formulaire comprendra votre nom, votre adresse et les raisons pour lesquelles vous appuyez le règlement. Le Formulaire de participation se trouve à <a href="http://fac-mdn-recourscollectifinconduitesexuelle.com">fac-mdn-recourscollectifinconduitesexuelle.com</a> . Vous devez envoyer ce formulaire par la poste à FAC MDN Recours Collectif Inconduite Sexuelle a/s Deloitte, Centre Baie Adélaïde, Tour Est, 8 rue Adélaïde Ouest, Toronto (Ontario) M5H 0A9, ou par courriel à <a href="mailto:facmdninconduite@deloitte.ca">facmdninconduite@deloitte.ca</a> , et il doit être reçu ou oblitéré au plus tard le 30 août 2019.                     |
| 4. Opposition au règlement proposé         | Si vous ne souhaitez pas assister à l'audience, mais que vous souhaitez expliquer pourquoi vous vous opposez au règlement, vous pouvez également remplir un <b>formulaire de participation</b> . Ce formulaire comprendra votre nom, votre adresse et les raisons pour lesquelles vous vous opposez au règlement. Le Formulaire de participation se trouve à <a href="http://fac-mdn-recourscollectifinconduitesexuelle.com">fac-mdn-recourscollectifinconduitesexuelle.com</a> . Vous devez envoyer ce formulaire par la poste à FAC MDN Recours Collectif Inconduite Sexuelle a/s Deloitte, Centre Baie Adélaïde, Tour Est, 8 rue Adélaïde Ouest, Toronto (Ontario) M5H 0A9, ou par courriel à <a href="mailto:facmdninconduite@deloitte.ca">facmdninconduite@deloitte.ca</a> , et il doit être reçu ou oblitéré au plus tard le 30 août 2019. |
| 5. Participation à l'audience de règlement | Vous pouvez assister à l'audience d'approbation à la <b>Cour fédérale à Ottawa, au 90, rue Sparks, les 19 et 20 septembre 2019, à 10 h</b> , pour participer à l'instance et exprimer en personne votre appui ou votre opposition au règlement proposé. La Cour décidera si vous serez autorisé à présenter des observations orales au moment de l'audience. Toutefois, pour être admissible à participer, vous devez avoir rempli et soumis le formulaire de participation indiquant les raisons pour lesquelles vous appuyez le règlement proposé ou que vous vous y opposez.  |

**À quel genre d'indemnisation suis-je admissible?**

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INCONDUITE SEXUELLE DANS LES FORCES ARMÉES CANADIENNES ET AU  
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Votre paiement dépendra du type d'Inconduite sexuelle que vous avez vécue en lien avec le service militaire ou en lien avec l'emploi au sein du MDN ou du PFNP, ou les deux, et d'une évaluation du préjudice que vous avez subi. Il dépendra aussi du nombre de Membres du groupe qui présenteront des réclamations. L'échelle d'indemnisation individuelle pour la plupart des Membres du groupe se situe entre cinq mille dollars (5 000 \$) et cinquante-cinq mille dollars (55 000 \$). Les Membres du groupe qui ont subi un préjudice exceptionnel (et dans le cas de ceux qui se sont déjà vu refuser des prestations ACC à l'égard de ce préjudice et dont la demande de réexamen a également été refusée) peuvent être admissibles à des montants pouvant atteindre cent cinquante-cinq mille dollars (155 000 \$). Les détails sont fournis dans le règlement proposé. Une copie du règlement proposé se trouve à l'adresse [fac-mdn-recourscollectifinconduitesexuelle.com](http://fac-mdn-recourscollectifinconduitesexuelle.com).

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NATIONALE  
COMMUNIQUE DE PRESSE**

*Pour diffusion immédiate*

**Communiqué de presse**

**Annonce d'une audience d'autorisation et de la conclusion d'un  
règlement concernant les recours collectifs pour inconduite sexuelle dans  
les Forces armées canadiennes et au ministère de la Défense nationale**

(Ottawa, ON – XX mois année) Bien qu'il n'ait pas admis sa responsabilité, le gouvernement du Canada a accepté un règlement concernant les recours collectifs intentés par sept anciens membres des Forces armées canadiennes (FAC) au nom des membres et anciens membres des FAC et des employés et anciens employés du ministère de la Défense nationale (MDN) ou du Personnel des fonds non publics, Forces canadiennes (PFNP) qui ont vécu du harcèlement sexuel, une agression sexuelle ou de la discrimination fondée sur le sexe, le genre, l'identité de genre et l'orientation sexuelle (« Inconduite sexuelle ») en lien avec le service militaire ou l'emploi.

La Cour fédérale tiendra une audience les **19 et 20 septembre 2019** à Ottawa pour décider si le règlement proposé est juste, raisonnable et dans le meilleur intérêt des membres du groupe et, s'il est approuvé, autorisera ces poursuites aux fins de règlement. Le règlement proposé prévoit une indemnisation financière, la possibilité de participer à un programme de démarches réparatrices et plusieurs autres mesures visant à lutter contre l'Inconduite sexuelle dans les Forces armées canadiennes. La Cour fédérale doit autoriser les recours collectifs et approuver le règlement proposé avant que des fonds ne soient versés et que d'autres aspects du règlement ne soient mis en œuvre.

Les membres et anciens membres des FAC et les employés et anciens employés du MDN et du Personnel des fonds non publics, Forces canadiennes qui ont vécu de l'Inconduite sexuelle dans le milieu de travail militaire peuvent recevoir une indemnisation en vertu du règlement proposé s'il est approuvé par la Cour. L'échelle d'indemnisation individuelle pour la plupart des membres du groupe admissibles se situe entre 5 000 \$ et 55 000 \$. Le paiement dépendra du type d'Inconduite sexuelle vécue et de l'évaluation du préjudice subi. Le montant des paiements dépendra également du nombre de Membres du groupe qui présenteront des réclamations dans le cadre du règlement proposé. Les Membres du groupe qui ont subi un préjudice exceptionnel (et ceux qui se sont déjà vu refuser des prestations d'Anciens Combattants Canada (ACC) à l'égard de ce préjudice et dont la demande de réexamen a également été refusée) peuvent être admissibles à des montants pouvant atteindre cent cinquante-cinq mille dollars (155 000 \$). Les détails sont expliqués dans le règlement proposé. Une copie du règlement se trouve à l'adresse [fac-mdn-recourscollectifinconduitesexuelle.com](http://fac-mdn-recourscollectifinconduitesexuelle.com).

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COMMUNIQUE DE PRESSE**

**Fiche d'information**

Les Membres du groupe admissibles peuvent recevoir une indemnisation en vertu du règlement proposé, s'il est approuvé par la Cour, ou ils peuvent choisir de demander l'exclusion du règlement proposé. Ils ont les droits et les options juridiques suivants :

1. Ne rien faire

Si vous appuyez l'entente de règlement, vous n'avez rien à faire pour l'instant. Veuillez noter qu'en ne faisant rien, vous renoncerez à tout droit de vous opposer au règlement et vous renoncerez au droit de poursuivre le Canada ou d'autres personnes de votre propre chef ou de déposer une plainte en matière de droits de la personne relativement à l'Inconduite sexuelle que vous avez vécue pendant votre service militaire ou votre emploi au sein du MDN ou du PFNP.
2. Option d'exclusion

Si vous ne voulez pas être lié par le règlement s'il est approuvé par la Cour, vous pourrez demander l'Exclusion du recours collectif à ce moment-là. De plus amples renseignements sur la façon et le moment de demander l'Exclusion seront fournis lorsque le règlement sera approuvé, le cas échéant. Vous aurez 90 jours à partir de la date à laquelle la Cour rendra une ordonnance approuvant le règlement pour prendre votre décision. Si vous demandez l'Exclusion, vous n'aurez droit à aucune indemnisation financière en vertu du règlement, mais vous conserverez votre droit de poursuivre le Canada ou d'autres personnes de votre propre chef ou de déposer une plainte en matière de droits de la personne relativement à l'Inconduite sexuelle que vous avez vécue pendant votre service militaire ou votre emploi au sein du MDN ou du PFNP, sous réserve de tout délai de prescription ou de toute autre limitation d'ordre légale s'appliquant à votre réclamation.

Si vous avez engagé une procédure judiciaire contre le Canada pour des dommages-intérêts découlant de l'Inconduite sexuelle visée par le présent règlement et que vous ne l'abandonnez pas avant le Délai d'exclusion fixé par la Cour, vous serez automatiquement réputé avoir choisi de demander l'Exclusion du règlement et vous ne pourrez pas demander d'indemnisation.

Les Membres du groupe qui sont décédés avant le 15 mars 2019 ne sont pas admissibles à une indemnisation en vertu du règlement. Les successions des Membres du groupe décédés le ou avant le 15 mars 2019 qui souhaitent obtenir une indemnisation doivent obtenir rapidement des conseils juridiques au sujet de leurs options.
3. Soumission d'une déclaration d'appui

Si vous ne souhaitez pas assister à l'audience, mais que vous souhaitez expliquer pourquoi vous appuyez le règlement, vous pouvez remplir un **Formulaire de participation**. Ce formulaire comprendra votre nom, votre adresse et les raisons pour lesquelles vous appuyez le règlement. Le Formulaire de participation se trouve à [fac-mdn-recourscollectifinconduitesexuelle.com](http://fac-mdn-recourscollectifinconduitesexuelle.com). Vous devez envoyer ce formulaire par la poste à **FAC MDN Recours Collectif Inconduite Sexuelle a/s Deloitte, Centre Baie Adélaïde, Tour Est, 8 rue Adelaide Ouest, Toronto (Ontario) M5H 0A9**, ou par courriel à [facmdninconduite@deloitte.ca](mailto:facmdninconduite@deloitte.ca), et il doit être reçu ou oblitéré au plus tard le 30 août 2019.
4. Opposition au règlement

Si vous ne souhaitez pas assister à l'audience, mais que vous souhaitez expliquer pourquoi vous vous opposez au règlement, vous pouvez également remplir un Formulaire de

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- proposé participation. Ce formulaire comprendra votre nom, votre adresse et les raisons pour lesquelles vous vous opposez au règlement. Le Formulaire de participation se trouve à [fac-mdn-recourscollectifinconduitesexuelle.com](http://fac-mdn-recourscollectifinconduitesexuelle.com). Vous devez envoyer ce formulaire par la poste à FAC MDN Recours Collectif Inconduite Sexuelle a/s Deloitte, Centre Baie Adélaïde, Tour Est, 8 rue Adelaide Ouest, Toronto (Ontario) M5H 0A9, ou par courriel à [facmdninconduite@deloitte.ca](mailto:facmdninconduite@deloitte.ca), et il doit être reçu ou oblitéré au plus tard le 30 août 2019.
5. Participation à l'audience de règlement Vous pouvez assister à l'audience d'approbation à la Cour fédérale à Ottawa, au 90, rue Sparks, les 19 et 20 septembre 2019, à 10 h, pour participer à l'instance et exprimer en personne votre appui ou votre opposition au règlement proposé. La Cour décidera si vous serez autorisé à présenter des observations orales au moment de l'audience. Toutefois, pour être admissible à participer, vous devez avoir rempli et soumis le formulaire de participation indiquant les raisons pour lesquelles vous appuyez le règlement proposé ou que vous vous y opposez.

Pour en savoir plus, visitez le [fac-mdn-recourscollectifinconduitesexuelle.com](http://fac-mdn-recourscollectifinconduitesexuelle.com), appelez au 1-888-626-2611, envoyez un courriel à [facmdninconduite@deloitte.ca](mailto:facmdninconduite@deloitte.ca) ou écrivez à : **FAC MDN Recours Collectif Inconduite Sexuelle a/s Deloitte**, Centre Baie Adélaïde, Tour Est, 8 rue Adelaide Ouest, Toronto (Ontario) M5H 0A9.



**AVIS DE RÈGLEMENT PROPOSÉ DANS LES RECOURS COLLECTIFS CONTRE  
LES FORCES ARMÉES CANADIENNES ET LE MINISTÈRE DE LA DÉFENSE  
NATIONALE  
AVIS SUR GOOGLE ET FACEBOOK**

**AVIS SUR GOOGLE ET FACEBOOK**

Règlement des recours collectif pour Inconduite sexuelle dans les Forces armées canadiennes et au ministère de la Défense nationale [[fac-mdn-recourscollectifinconduitesexuelle.com](http://fac-mdn-recourscollectifinconduitesexuelle.com)]  
[\[facmdninconduite@deloitte.ca\]](mailto:facmdninconduite@deloitte.ca) [1-888-626-2611]

Avez-vous été directement touché par l'Inconduite sexuelle dans le milieu de travail militaire des FAC ou du MDN? Si c'est le cas, vos droits pourraient être touchés par le règlement proposé. Apprenez-en plus sur les recours collectifs et le règlement proposé, les personnes visées, vos droits et options et sur les détails de l'audience d'approbation.

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**TAB *C***

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## Schedule "C"

Administration Services Estimate  
Canadian Armed Forces - Phase I

July 9, 2019

David Weir; david.weir@ricepoint.com; +1-519-854-6414

Carla Peak; cpeak@kccllc.com; 610.304.4308

RICEPOINT

A Computershare company.

## Key Assumptions Used in Estimate Preparation

Size of Class: 7,650,000 class members

Case Duration: 6 months  
# of Electronic, Finalized Data Files Provided (Excel, Access, etc.): 1 file(s)Claims Processing: No  
Returned Mail Handling: No  
Media Campaign Required: Yes  
Translations Required: Yes  
# of Email Campaigns: N/A

Duration of Claims Filing Period: N/A

Type of Telephone Support: None  
Type of Website Support: None

## SUMMARY OF COSTS

Notice Procedures	\$136,910
Plus Estimated Taxes	\$20,536
<b>Total Estimated Cost**</b>	<b>\$157,446</b>

NOTICE PROCEDURES	RESPONSE RATE	QUANTITY	RATE PER UNIT	ESTIMATED COST	TOTAL
Media Campaign					
Rates in CAD					
- Newspapers				\$66,688	
- Digital Media				\$61,222	
- Professional Services				\$9,000	
Sub-total of Media Campaign					\$136,910
SUB-TOTAL OF NOTICE PROCEDURES					\$136,910
Plus Estimated Taxes				\$20,536	
<b>TOTAL ESTIMATED COST**</b>					<b>\$157,446</b>

OTHER SERVICES AND OUT-OF-POCKET EXPENSES	RATE PER UNIT
Other Services and Ad Hoc Reporting, as needed or requested	(standard hourly rates)
Other Charges and Out-of-Pocket Costs***	(actual)

\* Estimated Postage and Handling.

\*\* Does not include escheatment services.

\*\*\* Includes, but is not limited to long distance calls, overnight shipping, photocopies, storage, PO Box rentals, broker fees, etc.

This Class Action Administration Services Estimate and the accompanying cover letter (together, the "Proposal") are valid for ninety days from 7/9/2019. After such period, RicePoint reserves the right to amend the Proposal (including, without limitation, by increasing fees and costs) or to withdraw the Proposal in its sole discretion.

All services to be provided to the undersigned (the "Client") and all fees and costs set forth in the Proposal are subject to the terms, specifications, assumptions and conditions set forth in the Proposal. The estimated fees and charges in the Proposal are based on certain information provided to RicePoint as well as significant assumptions. Accordingly, this estimate is not intended to limit RicePoint's actual fees and charges, which may be less or more than estimated due to the scope of actual services or changes to the underlying facts or assumptions.

RicePoint

BY: \_\_\_\_\_ DATE: \_\_\_\_\_

TITLE:

Koskie Minsky LLP

BY: \_\_\_\_\_ DATE: \_\_\_\_\_

TITLE:

## **Canadian Armed Forces – Phase I & Phase II Notice Programs**

### **Case Analysis**

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The following known factors were considered when preparing the media plans:

1. It is our understanding that there are approximately 1 million current and former members of the Canadian Armed Forces and current and former employees of the Department of National Defence and the Staff of the Non-Public Funds, some of whom may have been affected by Sexual Misconduct while working in the military workplace and who may be class members for purposes of this class action settlement.
2. The Government of Canada will use its internal and external networks to provide direct and indirect notice to class members. The reach of this notice to current members and employees is expected to be high; the precise reach of this notice with respect to former members less certain. Accordingly, a supplementary notice campaign which includes radio advertisements, and other digital and print media sources is desired.
3. Effective reach and notice content is desired to convey the importance of the information affecting class members' rights.

### **Objective**

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To design a notice program that will effectively reach likely Class Members and capture their attention with notice communicated in clear, concise, plain language so that their rights and options may be fully understood.

### **Target Audience**

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The Class is comprised of: (a) All current and former officers and non-commissioned members of all components of the Canadian Armed Forces, as well as any individual who served in any branch, corps, service or other group within or forming part of, the Sovereign's armed or military forces for Canada; (b) All current and former employees of all tenures of the Department of National Defence and Staff of the Non-Public Funds.

#### **➤ Canadian Armed Forces History and Information**

The Canadian Armed Forces ("CAF") are divided into three parts; the Canadian Army, the Royal Canadian Navy ("RCN"), and the Royal Canadian Air Force ("RCAF"). To start a full or part-time career in the Canadian Armed Forces (CAF) applicants must (1) be a Canadian citizen, (2) be at least 18 years old (17 years old with parental consent, or as young as 16 with parental consent for paid education programs),<sup>1</sup> and (3) have completed *at least* Grade 10 or Secondaire IV in Québec.<sup>2</sup>



- The Canadian Army is the "land" force of the CAF. It consists of about 123,00 full-time soldiers and about 17,000 part-time (reserve) soldiers. The Canadian Army was officially founded in 1942. The

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<sup>1</sup> Applicants may be 16 years old (with parental consent) to join the paid education programs or 16 years old (with parental consent) and enrolled as a full-time student to join the Primary Reserves.

<sup>2</sup> Apply Now, Am I Eligible? <https://forces.ca/en/apply-now/>.

army underwent restructuring in the 1950s and 1960s, eventually becoming the Canadian Armed Forces in 1968.<sup>3</sup>



- The RCAF consists of about 13,000 full-time regulars and about 2,400 part-time reserves. RCAF members are spread out in 10 bases across Canada.



- The RCN consists of about 8,300 full-time regulars, 4,600 part-time reserves and 29 warships. The RCN maintains active operations around the world, however most serve as a patrol and rescue force, similar to other countries Coast Guards.

### ➤ **Select Characteristics of Canada's Population**

#### **AGE AND GENDER**

As of July 1, 2018, there are approximately 29,882,742 Canadian adults 18 years of age or older (Adults 18+).<sup>4</sup> Females comprise 50.7% of the population of Adults 18+ with a total Female Adult 18+ population of 15,143,845, while males make up 49.3% of Adults 18+.

**Canadian Population by Age/Sex 18+**

Age	Total Canada	Male	Female
15 to 19 years	2,106,893	1,082,667	1,024,226
20 to 24 years	2,437,542	1,271,388	1,166,154
25 to 29 years	2,573,476	1,324,764	1,248,712
30 to 34 years	2,550,512	1,288,341	1,262,171
35 to 39 years	2,514,450	1,250,324	1,264,126
40 to 44 years	2,378,927	1,176,696	1,202,231
45 to 49 years	2,405,692	1,195,595	1,210,097
50 to 54 years	2,578,047	1,285,508	1,292,539
55 to 59 years	2,726,152	1,354,975	1,371,177
60 to 64 years	2,456,212	1,207,653	1,248,559
65 to 69 years	2,035,754	988,337	1,047,417
70 to 74 years	1,625,256	779,411	845,845
75 to 79 years	1,109,870	515,927	593,943
80 to 84 years	765,850	336,986	428,864
85 to 89 years	504,086	199,768	304,318
90 to 94 years	237,609	76,792	160,817

<sup>3</sup> History of the Canadian Military, The Canada Guide, <http://www.thecanadaguide.com/basics/the-military/>.

<sup>4</sup> Statistics Canada. Table 17-10-0005-01. Population estimates on July 1<sup>st</sup>, by age and sex, Last modified March 6, 2019.

95 to 99 years	69,827	17,143	52,684
100 years and over	9,968	1,774	8,194
<b>18 years and over</b>	<b>29,882,742</b>	<b>14,738,897</b>	<b>15,143,845</b>
<b>Median Age</b>	<b>40.8</b>	<b>39.7</b>	<b>41.8</b>

## GEOGRAPHY

Further, the Canadian population of Adults 18+ is heavily concentrated in the provinces of Ontario, Québec, British Columbia, and Alberta. Together, the Adult 18+ populations in these provinces comprise approximately 86.5% of the total adult population.

### Canadian Population 18+ by Province/Territory

Province/Territory	Adults 18+	% TOTAL
Alberta	3,344,783	11.2
British Columbia	4,124,710	13.8
Manitoba	1,045,886	3.5
New Brunswick	635,389	2.1
Newfoundland & Labrador	436,240	1.5
Northwest Territories	33,800	0.1
Nova Scotia	794,918	2.7
Nunavut	24,269	<0.1
Ontario	11,573,423	38.7
Prince Edward Island	124,045	0.4
Québec	6,820,087	22.8
Saskatchewan	892,742	3.0
Yukon	32,450	0.1
<b>18 years and over</b>	<b>29,882,742</b>	<b>100.0</b>

## LANGUAGE

According to the 2016 Census, the majority of all Canadians speak English most often at home. Approximately 63.9% of all Canadians speak only English most often at home, while 68.2% speak English with or without additional languages most often at home. Only 10.9% of Canadians whose mother tongue was a non-official language still speak a non-official language most often at home.

**Language Spoken Most Often at Home**

Mother Tongue	Total – Language Spoken Most Often at Home	English	French	Non-Official language	English and French	English and Non-Official Language	French and Non-Official Language	English, French, and Non-Official Language
<b>TOTAL</b>	34,460,060	22,031,185	6,842,955	3,950,050	154,380	1,269,705	147,045	64,740
English	19,349,060	18,996,269	71,405	114,795	28,970	135,885	480	4,845
French	7,065,270	447,675	6,497,370	20,460	67,785	1,555	24,865	5,575
Non-Official Language	7,260,085	2,301,495	212,705	3,741,345	11,995	875,160	86,930	30,455
English and French	157,180	77,515	33,510	2,015	40,330	1,050	495	2,265
English and Non-Official Language	513,245	196,715	865	58,650	1,060	250,185	360	5,415
French and Non-Official Language	84,095	7,090	24,665	9,185	2,025	1,980	32,515	6,640
English, French and Non-Official Language	31,125	8,010	2,440	3,610	2,215	3,900	1,400	9,550

➤ **CAF Veteran and Active Military Population Demographics**

**AGE AND GENDER**
**Veteran Population**

The number of veterans serviced by VAC offices in December 2018 provides a snapshot of males vs. female veterans in Canada. The vast majority (nearly 90%) of all veterans are male, meaning veterans are 79.8% more likely to be male, as compared to the total Canadian population 18 years of age or older.

**Total Veterans by Gender, Service Type, and Age (Served by VAC Offices in December 2018)**

Age	Total Males			Total Females			TOTAL	% TOTAL
	War Service	CAF	% Male	War Service	CAF	% Female		
≤29	0	1,726	85.9	0	283	14.1	2,009	1.7
30-39	0	8,551	85.4	0	1,463	14.6	10,014	8.5
40-49	0	12,025	83.3	0	2,415	16.7	14,440	12.3
50-59	0	21,743	85.9	0	3,582	14.1	25,325	21.5

60-69	0	14,574	91.0	0	1,448	9.0	16,022	13.6
70-79	0	17,415	96.3	97	577	3.7	18,089	15.4
80-89	2,010	13,237	94.3	270	656	5.7	16,173	13.8
90+	12,268	729	83.9	2,433	70	16.1	15,500	13.2
<b>TOTAL</b>	<b>14,278</b>	<b>90,000</b>	<b>88.7</b>	<b>2,800</b>	<b>10,494</b>	<b>11.3</b>	<b>117,572</b>	<b>100.0</b>

Additionally, all War Service veterans are 80 years of age or older. The majority of CAF veterans (nearly 90%) are at least 40 years of age. Veterans are 41.9% more likely to be 40 years of age or older, as compared to the total Canadian population 18 years of age or older.

#### **Active Regular Force Personnel**

A study from the Department of National Defence/ Government of Canada on the State of Military Families in Canada<sup>5</sup> was used to ascertain the ages of Regular Force (RegF) personnel posted in Canada.

**Age Range of RegF Personnel in Canada**

<b>Age Range</b>	<b>RegF (Number)</b>	<b>% Total</b>
16-19	1,554	2.46
20-24	8,200	12.96
25-29	12,342	19.51
30-34	12,068	19.07
35-39	9,975	15.77
40-44	7,334	11.59
45-49	5,908	9.34
50-54	4,425	6.99
55-59	1,457	2.30
60-64 <sup>6</sup>	6	0.01
<b>TOTAL</b>	<b>63,269</b>	<b>100.0</b>

The vast majority (88.24%) of Regular Force members are between the ages of 20-49. Compared to the percentage of persons in each age group in the general Canadian population, this means Regular Force members are 84.58% more likely to be in that age range. In particular, compared to the general Canadian population, Regular Force members are:

- 2.4 times more likely to be 25-29 years old;
- 2.3 times more likely to be 30-34 years old;
- 94.9% more likely to be 35-39 years old;
- 65.3% more likely to be 20-24 years old;

<sup>5</sup> Manser, L. (2018). *State of Military Families in Canada: Issues Facing Regular Force Members and Their Families*. Ottawa, ON: Canadian Forces Morale and Welfare Services.

<sup>6</sup> As of July 1, 2004, the compulsory retirement age for Regular Force members is 60. <http://www.forces.gc.ca/en/news/article.page?doc=new-compulsory-retirement-age-for-the-cf/hnocfnhk>. Last visited April 11, 2019.



- 51.5% more likely to be 40-44 years old; and
- 20.7% more likely to be 45-49 years old.

Additionally, the percentage of females serving active duty numbers is slightly higher than in the veteran population, but males still dominate CAF demographics. As of February 1, 2019, there are an estimated 96,822 Regular Force and Primary Reserve members, of which 15,174 (or 15.7%) are female,<sup>7</sup> leaving males with the lion's share of representation at 84.3% male.

**Representation of Women in the CAF**

	CAF Total	Women (Number)	Women (% Total)
Regular Force	67,418	10,382	15.4
Primary Reserve	29,404	4,792	16.3
<b>TOTAL</b>	<b>96,822</b>	<b>15,174</b>	<b>15.7</b>

**GEOGRAPHY**

Canadian Armed Forces personnel are generally not required to live on-base. According to a recent snapshot of military and veteran families in Canada, most military and veteran families are integrated in civilian communities.<sup>8</sup>

**Veteran Population**

The veteran population comprises the largest share of the total CAF population. Based on information available from Veterans Affairs Canada (VAC), as of March 2018, there are an estimated 649,300 total veterans—approximately 48,300 War Service Veterans (Second World War and Korean War) and 601,000 Canadian Armed Forces Veterans (Regular Forces and Primary Reserves).<sup>9</sup>

**Estimated Veteran Population by Province**

Province	War Service	CAF	TOTAL	% TOTAL
Alberta	4,200	65,100	69,300	10.7
British Columbia	10,500	81,200	91,700	14.1
Manitoba	2,100	19,000	21,100	3.2
New Brunswick	1,800	28,500	30,300	4.7
Newfoundland & Labrador	600	15,300	15,900	2.4
Nova Scotia	2,500	39,100	41,600	6.4
Ontario	20,200	215,500	235,700	36.3
Prince Edward Island	300	3,700	4,000	0.6
Quebec	3,700	116,900	120,600	18.6
Saskatchewan	1,600	14,700	16,300	2.5
Territories	0	1,900	1,900	0.3

<sup>7</sup> National Defence / Canadian Armed Forces. (March 7, 2019). *Women in the Canadian Armed Forces*.

<sup>8</sup> Battams, N. and Mann, R. The Vanier Institute of the Family / L'Institut Vanier de la famille. (2018). *A Snapshot of Military and Veteran Families in Canada*.

<sup>9</sup> Veterans Affairs Canada. (2018). VAC Facts and Figures Book. *Facts and Figures December 2018 Edition*, 11-12.

Foreign Countries	800	N/A	800	0.1
<b>TOTAL</b>	<b>48,300</b>	<b>601,000</b>	<b>649,300</b>	<b>100.0</b>

*Note: Totals may not add due to rounding.*

The above table indicates nearly 80% of all veterans reside in the provinces of Ontario, Quebec, British Columbia, or Alberta, which is largely similar to the distribution of all adults in Canada. Less than 1% of veterans do not currently reside in Canada.

### **Active Regular Force Personnel**

Active military personnel are generally stationed on or near military bases. As recently as the mid-2010s, only 15% of military families lived on a base; the majority live within a 30-minute drive to a base. While relocation occurs frequently among active military households, an estimated 8,000 of 10,000 families are moved to new provinces yearly. The majority (57%) of interprovincial moves is to Ontario (30%) and Québec (27%)<sup>10</sup>; as such, active military diaspora is mostly consistent with general population distributions.

**RegF Population by Province and Base/Support Unit**

Base/Support Unit	TOTAL	% Province	% TOTAL
<b>Alberta</b>	<b>7,128</b>	<b>100.0</b>	<b>11.3</b>
(0127) 3 CDSB Edmonton	4,503	63.2	-
(0134) CFB Cold Lake	1,875	26.3	-
(0142) CFB Suffield	106	1.5	-
(6428) 3 CDSB Edmonton, Detachment Wainwright	644	9.0	-
<b>British Columbia</b>	<b>5,085</b>	<b>100.0</b>	<b>8.0</b>
(0103) CFB Esquimalt	4,095	80.5	-
(0133) CFB Comox	990	19.5	-
<b>Manitoba</b>	<b>2,956</b>	<b>100.0</b>	<b>4.7</b>
(0117) CFB Winnipeg	1,693	57.3	-
(0118) CFB Shilo	1,263	42.7	-
<b>New Brunswick</b>	<b>4,799</b>	<b>100.0</b>	<b>7.6</b>
(0105) 5 CDSB Gagetown	4,799	100.0	-
<b>Newfoundland &amp; Labrador</b>	<b>286</b>	<b>100.0</b>	<b>0.5</b>
(0123) CFB Goose Bay	68	23.8	-
(0139) CFS St. John's	101	35.3	-
(0213) CFB Gander	117	40.9	-
<b>Nova Scotia</b>	<b>7,410</b>	<b>100.0</b>	<b>11.7</b>
(0100) CFB Halifax	5,982	80.7	-

<sup>10</sup> Battams, N. and Mann, R. The Vanier Institute of the Family / L'Institut Vanier de la famille. (2018). *A Snapshot of Military and Veteran Families in Canada*.

(0102) CFB Greenwood	1,428	19.3	-
<b>Ontario</b>	<b>24,745</b>	<b>100.0</b>	<b>39.1</b>
(0002) CFSU (OTTAWA)	6,647	26.9	-
(0107) 4 CDSB Petawawa	5,046	20.4	-
(0113) CFB Borden	3,000	12.1	-
(0114) CFB Kingston	3,944	15.9	-
(0125) CFB Trenton	2,756	11.1	-
(0135) CFB North Bay	408	1.6	-
(3536) 4 CDSB Petawawa, Detachment Toronto	1,118	4.5	-
(6399) CANSOFCOM HQ	1,826	7.4	-
<b>Prince Edward Island</b>	<b>0</b>	<b>0.0</b>	<b>0.0</b>
<b>Quebec</b>	<b>10,359</b>	<b>100.0</b>	<b>16.4</b>
(0106) 2 CDSB Valcartier	5,853	56.5	-
(0130) 2 CDSB Valcartier, Detachment Montreal	879	8.5	-
(0138) CFB Bagotville	1,304	12.6	-
(3380) 2 CDSB Valcartier, Detachment St-Jean	2,323	22.4	-
<b>Saskatchewan</b>	<b>458</b>	<b>100.0</b>	<b>0.7</b>
(0121) CFB Moose Jaw	458	100.0	-
<b>Territories</b>	<b>38</b>	<b>100.0</b>	<b>&lt;0.1</b>
(1568) JTFN HQ	38	100.0	-
<b>Unspecified</b>	<b>5</b>	<b>100.0</b>	<b>&lt;0.1</b>
(3162) 3 CSU	1	20.0	-
Not in Source Data	4	80.0	-
<b>TOTAL</b>	<b>63,269</b>	<b>-</b>	<b>100.0</b>

While some territories are slightly over- or under-represented (or not at all, i.e., Prince Edward Island) relative to their general total adult population counterparts, Ontario, Québec, British Columbia, and Alberta together still make up a vast majority of military representation, with nearly 75% of all active military personnel being stationed at bases in those provinces.

## LANGUAGE

A profile of Canadian Forces reinforces the entrenchment of bilingualism in the armed forces in order to promote equitable participation among both English- and French- speaking personnel.<sup>11</sup> Based on an assessment of the below table, the vast majority (99.8%) of likely Class members can speak an official language (i.e., English or French, or both). English is the predominant language spoken in the military by a slim margin.

<sup>11</sup> Park, J. (2008). A profile of the Canadian Forces. *Statistics Canada, Perspectives*, 17-18.

**Characteristics of Military Personnel, Aged 15 to 64 (Park 2008)**

Official Language	All Military	Regular Forces	Reserve Forces
English Only	53.8%	51.4%	59.9%
French Only	3.8%	3.0%	5.9%
Both	42.2%	45.6%	33.9%
Neither	0.2%	N/A	N/A

- 96.0% of military personnel can speak English—53.8% speak English only, while 42.2% can speak both English and French;
- Only 3.8% of military personnel speak only French; and
- Only 0.2% of military personnel speak neither English nor French.

## **PHASE I NOTICE PLAN**

### **Notice Strategies**

Based on the analysis above, the Phase I Notice Plan consists of a combination of notice placements in mainstream newspapers, and digital media notice on a variety of websites, including a variety of social media platforms.

### **Notice Tactics**

This Notice Plan will reach over 80% of English- and French-speaking adults 18 years of age or older in Canada through the measurable media efforts alone.

- **Mainstream Newspapers:** The court approved Short Form notice will appear as an approximate quarter-page ad unit in a variety of national and regional newspapers. The Short Form notice will be translated and published in French for the French-language publications. The Short Form notice will be published once in each newspaper within 10 days of the issuance of the Order approving the notice of settlement approval hearing.

Newspaper	Language	Ad unit	# of insertions
<i>Le Journal de Montreal</i>	French	Quarter Page	1
<i>La Presse+ (Tablet)</i>	French	Quarter Screen	1
<i>National Post</i>	English	Quarter Page	1
<i>Globe and Mail</i>	English	Quarter Page	1
<i>St. John's Telegram</i>	English	Quarter Page	1
<i>Calgary Herald</i>	English	Quarter Page	1
<i>Ottawa Citizen</i>	French	Quarter Page	1
<i>Saint John Telegraph-Journal</i>	English	Quarter Page	1
<i>Halifax Chronicle Herald</i>	English	Quarter Page	1
<i>Charlottetown Guardian</i>	English	Quarter Page	1
<i>Toronto Star</i>	English	Quarter Page	1

<i>Vancouver Sun</i>	English	Quarter Page	1
<i>Montreal Gazette</i>	English	Quarter Page	1
<b>TOTAL</b>			<b>13</b>

## THE GLOBE AND MAIL

- *The Globe and Mail*
  - Format: Broadsheet
  - Notice Size: Quarter Page
  - Audience:
    - Age:
      - Under 35: 33%
      - 35-49: 20%
      - 50-64: 25%
      - 65+: 20%



- *National Post*
  - Format: Broadsheet
  - Notice Size: Quarter Page
  - Audience:
    - 62% Male/ 38% Female
    - Average Age: 46
      - 18-24: 13%
      - 25-34: 20%
      - 35-49: 22%
      - 50-64: 25%
      - 65+: 20%



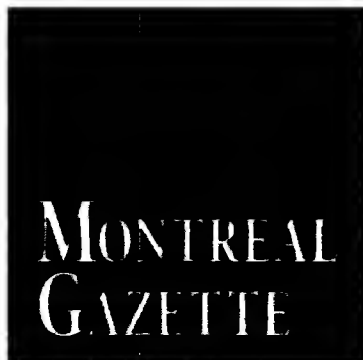
- *La Presse+*
  - Format: Digital (Tablet Edition)
  - Notice Size: Quarter Screen
  - Audience:
    - 54% Male/ 46% Female
    - Age:
      - 18-34: 24%
      - 35-54: 45%
      - 55+: 31%

## TORONTO STAR

- *Toronto Star*
  - Format: Broadsheet
  - Notice Size: Quarter Page

## THE VANCOUVER SUN

- *The Vancouver Sun*
  - Format: Broadsheet
  - Notice Size: Quarter Page
  - Audience:
    - 50% Male/ 50% Female



- *The Montreal Gazette*
  - Format: Broadsheet
  - Notice Size: Quarter Page
  - Audience:
    - 52% Male/ 48% Female



- *Le Journal de Montréal*
  - Format: Tabloid
  - Notice Size: Third Page
  - Audience:
    - 59% Male/ 41% Female
    - Age:
      - 18-34: 22%
      - 35-49: 24%
      - 50-64: 28%
      - 65+: 23%



## CALGARY HERALD

- *Calgary Herald*
  - Format: Broadsheet
  - Notice Size: Quarter Page
  - Audience:
    - 52% Male/ 48% Female
    - Average Age: 50
      - 18-24: 12%
      - 25-34: 17%
      - 35-49: 18%
      - 50-64: 28%
      - 65+: 26%

## OTTAWA CITIZEN

- *Ottawa Citizen*
  - Format: Broadsheet
  - Notice Size: Quarter Page
  - Audience:
    - 54% Male/ 46% Female

## TELEGRAPH-JOURNAL

- *Saint John Telegraph-Journal*
  - Format: Broadsheet
  - Notice Size: Quarter Page
  - Audience: 21,901



## The ChronicleHerald

- *Halifax Chronicle Herald*
  - Format: Broadsheet
  - Notice Size: Quarter Page
  - Audience: 218,000

# The Guardian

- *Charlottetown Guardian*
  - Format: Broadsheet
  - Notice Size: Quarter Page
  - Audience: 21,000

## ➤ Digital Media

- **Networks and Social Media:** To further extend reach, approximately 49 million English- and French-language internet impressions will be purchased and distributed nationwide over a 60-day period. The digital media notices will be targeted to adults 18 years of age or older (Adults 18+) and distributed via the Google Display Network, Facebook, YouTube and LinkedIn platforms. All digital notices will include an embedded link to the case website.

## Google Display Network

- **GDN** is a vast ad network that reaches over 90% of internet users and harnesses the power of advertising opportunities to over two million websites and apps, including some of the most-visited websites and most recognizable properties on the entire internet.

## facebook.

- **Facebook** is the largest social media platform in terms of both audience size and engagement.

## YouTube

- **YouTube** is the most popular video website on the internet. It is a video sharing website that allows users to watch videos, as well as upload their own videos and share them with friends, family and the world. YouTube visitors watch approximately 6 billion hours of videos each month. YouTube is owned by Google and is currently the second-largest search engine.

## Linked

- **LinkedIn** is a social networking platform designed specifically for the business community. The goal of the network is to allow registered members to establish and document networks of people they know and trust professionally. Over 500 million professionals are on LinkedIn.

The digital media campaign proposed here will be routinely monitored by KCC's digital specialists to analyze key campaign performance indicators (KPIs), like click-through rates





RICEPOINT  
A Computershare company.

(CTRs) and costs per action (CPAs). This knowledge will be leveraged to allocate placements to sites that have demonstrated successful KPIs throughout the course of the campaign.

**Phase I Notice Plan Cost Summary**

Media Type	Cost (CAD)*
Newspapers	\$66,688
Digital Media	\$61,222
Professional Services	\$9,000
Tax	\$20,536
<b>TOTAL</b>	<b>\$157,446</b>

## PHASE II NOTICE PLAN

### **Notice Strategies**

Based on the analysis above, the Phase II Notice Plan consists of a combination of notice placements in mainstream newspapers and consumer publications, radio advertisements, and digital media notice on a variety of websites, including a variety of social media platforms. The claims period is expected to start on or after February 15, 2020, and run for 18 months. As such, the Phase II notice campaign is anticipated to run from September 2019 to September 2021; the majority of the notice efforts will commence September 2019, with a supplemental digital media campaign occurring prior to the end of the claims period.

### **Notice Tactics**

Following is a summary of the notice tactics for the Phase II Notice Plan. The Phase II Notice Plan will reach over 80% of English- and French-speaking adults 18 years of age or older in Canada through the measurable media efforts alone.

- **Mainstream Newspapers:** The court approved Short Form notice will appear as an approximate quarter-page ad unit in a variety of national and regional newspapers. The Short Form notice will be translated and published in French for the French-language publications. The Short Form notice will be published once in each newspaper following the Approval date and three months prior to the end of the Claims Period.

Newspaper	Language	Ad unit	# of insertions
<i>Le Journal de Montreal</i>	French	Quarter Page	2
<i>La Presse+ (Tablet)</i>	French	Quarter Screen	2
<i>National Post</i>	English	Quarter Page	2
<i>Globe and Mail</i>	English	Quarter Page	2
<i>St. John's Telegram</i>	English	Quarter Page	2
<i>Calgary Herald</i>	English	Quarter Page	2
<i>Ottawa Citizen</i>	French	Quarter Page	2
<i>Saint John Telegraph-Journal</i>	English	Quarter Page	2
<i>Halifax Chronicle Herald</i>	English	Quarter Page	2
<i>Charlottetown Guardian</i>	English	Quarter Page	2
<i>Toronto Star</i>	English	Quarter Page	2
<i>Vancouver Sun</i>	English	Quarter Page	2
<i>Montreal Gazette</i>	English	Quarter Page	2
<b>TOTAL</b>			<b>26</b>

## **THE GLOBE AND MAIL**

- *The Globe and Mail*
  - Format: Broadsheet
  - Notice Size: Quarter Page

- Audience:
  - Age:
    - Under 35: 33%
    - 35-49: 20%
    - 50-64: 25%
    - 65+: 20%



- *National Post*
  - Format: Broadsheet
  - Notice Size: Quarter Page
  - Audience:
    - 62% Male/ 38% Female
    - Average Age: 46
      - 18-24: 13%
      - 25-34: 20%
      - 35-49: 22%
      - 50-64: 25%
      - 65+: 20%



- *La Presse+*
  - Format: Digital (Tablet Edition)
  - Notice Size: Quarter Screen
  - Audience:
    - 54% Male/ 46% Female
    - Age:
      - 18-34: 24%
      - 35-54: 45%
      - 55+: 31%



- *Toronto Star*
  - Format: Broadsheet
  - Notice Size: Quarter Page



- *The Vancouver Sun*
  - Format: Broadsheet
  - Notice Size: Quarter Page



- Audience:
  - 50% Male/ 50% Female



- *The Montreal Gazette*
  - Format: Broadsheet
  - Notice Size: Quarter Page
  - Audience:
    - 52% Male/ 48% Female



- *Le Journal de Montréal*
  - Format: Tabloid
  - Notice Size: Third Page
  - Audience:
    - 59% Male/ 41% Female
    - Age:
      - 18-34: 22%
      - 35-49: 24%
      - 50-64: 28%
      - 65+: 23%

## CALGARY HERALD

- *Calgary Herald*
  - Format: Broadsheet
  - Notice Size: Quarter Page
  - Audience:
    - 52% Male/ 48% Female
    - Average Age: 50
      - 18-24: 12%
      - 25-34: 17%
      - 35-49: 18%
      - 50-64: 28%

- 65+: 26%

## OTTAWA CITIZEN

- *Ottawa Citizen*
  - Format: Broadsheet
  - Notice Size: Quarter Page
  - Audience:
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## TELEGRAPH-JOURNAL

- *Saint John Telegraph-Journal*
  - Format: Broadsheet
  - Notice Size: Quarter Page
  - Audience: 21,901

## The Telegram

## The Chronicle Herald

- *Halifax Chronicle Herald*
  - Format: Broadsheet
  - Notice Size: Quarter Page
  - Audience: 218,000

## The Guardian

- *Charlottetown Guardian*
  - Format: Broadsheet
  - Notice Size: Quarter Page
  - Audience: 21,000

- **Consumer Publications (Print & Digital Replicas):** An approximate third-page notice will be placed one time each in some or all of the leading standard-size English- and French-language consumer magazines below. The Notice will be translated into French for the French-language publications.

Publication	Language	Print Circulation	Audience (Digital & Print)	Ad Size	# of Insertions
<i>Maclean's</i>	English	173,000	3,850,000	Third Page	1

<i>L'actualité</i>	French	87,000	974,000	Third Page	1
<i>Chatelaine</i>	English	258,000	3,660,000	Third Page	1
<i>Chatelaine</i>	French	90,000	856,000	Third Page	1
<b>TOTAL</b>		<b>608,000</b>	<b>9,340,000</b>		<b>4</b>

# MACLEAN'S

- *Maclean's*
  - Issuance: Monthly
  - Notice Size: Third Page
  - Audience:
    - 59% Male/ 41% Female
    - Average Age: 48

# L'actualité

- *L'actualité*
  - Issuance: Monthly
  - Notice Size: Third Page
  - Audience:
    - 58% Male/ 42% Female
    - Average Age: 47

# CHATELAINE

## ENGLISH

- *Chatelaine* (English)
  - Issuance: 6x/year
  - Notice Size: Third Page
  - Audience:
    - 80% Female/ 20% Male
    - Average Age: 52
      - 18-49: 30%
      - 25-54: 53%
      - 35-49: 70%

# CHATELAINE

## FRENCH

- *Chatelaine* (French)
  - Issuance: 6x/year
  - Notice Size: Third Page
  - Audience:



- 74% Female/ 26% Male
- Average Age: 52
  - 18-49: 15%
  - 25-54: 25%
  - 35-49: 30%

- **Paid Radio Advertisements:** 30-second radio notices will be produced using the court approved radio script and distributed to news talk radio stations across Canada. The paid radio announcements will be broadcast in English or French, as appropriate. A total of 100 spots with be broadcast per station. Forty (40) spots will be broadcast over a four-week period commencing within 10 days of the Approval date, an additional thirty (30) spots will air during the implementation stage, and the remaining thirty (30) will be broadcast three months prior to the end of the Claims Period. Below is a detailed list of radio stations:

Radio Station	Language	Coverage	Total # of Spots
CHQR	English	Calgary	100
CHQT (Global News 880)	English	Edmonton	100
CJNI-FM (News 95.7)	English	Halifax	100
CHML (AM 900)	English	Hamilton	100
CKFR (AM 1150)	English	Kelowna	100
CKGL (570 News)	English	Kitchener-Waterloo	100
CJBK (Newstalk 1290)	English	London	100
CJAD (800)	English	Montreal	100
CHMP (98.5 FM)	French	Montreal	100
UniqueFM 94.5	French	Ottawa	100
CKWX (News 1130)	English	Ottawa	100
Ci'WW (1310 News)	English	Ottawa-Gatineau	100
CHOI FM (Radio X)	French	Quebec City	100
CJME	English	Regina	100
CKOM	English	Saskatoon	100
CKOY-FM	French	Sherbrooke	100
CKTB (Newstalk 610)	English	St. Catharines-Niagara	100
VOCM+	English	St. John's	100
CFRB (Newstalk 1010)	English	Toronto	100
CKOB-FM	French	Trois-Rivieres	100
CKWX (News 1130)	English	Vancouver	100
CFAX (1070)	English	Victoria	100
CKLW (AM 800)	English	Windsor	100
CJOB-Winnipeg	English	Winnipeg	100

<b>TOTAL</b>			<b>2,400</b>
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➤ **Digital Media**

- **Networks and Social Media:** To further extend reach, approximately 29.4 million English- and French-language internet impressions will be purchased and distributed nationwide over a 60-day period. The digital media notices will be targeted to adults 18 years of age or older (Adults 18+) and distributed via the Google Display Network, Facebook, You Tube and LinkedIn platforms. All digital notices will include an embedded link to the case website.

## Google Display Network

- **GDN** is a vast ad network that reaches over 90% of internet users and harnesses the power of advertising opportunities to over two million websites and apps, including some of the most-visited websites and most recognizable properties on the entire internet.

## facebook.

- **Facebook** is the largest social media platform in terms of both audience size and engagement.

## YouTube

- **YouTube** is the most popular video website on the internet. It is a video sharing website that allows users to watch videos, as well as upload their own videos and share them with friends, family and the world. YouTube visitors watch approximately 6 billion hours of videos each month. YouTube is owned by Google and is currently the second-largest search engine.

## Linked

- **LinkedIn** is a social networking platform designed specifically for the business community. The goal of the network is to allow registered members to establish and document networks of people they know and trust professional. Over 500 million professionals are on LinkedIn.

The digital media campaign proposed here will be routinely monitored by KCC's digital specialists to analyze key campaign performance indicators (KPIs), like click-through rates (CTRs) and costs per action (CPAs). This knowledge will be leveraged to allocate placements to sites that have demonstrated successful KPIs throughout the course of the campaign.

➤ **Digital Media – Prior to Claims Deadline**

- **Networks and Social Media:** To further extend reach, approximately 26.6 million English- and French-language internet impressions will be purchased and distributed nationwide over



a 60-day period. The digital media notices will be targeted to Adults 18+ and distributed via the Google Display Network, Facebook, You Tube and LinkedIn platforms. All digital notices will include an embedded link to the case website.

## Google Display Network

- **GDN** is a vast ad network that reaches over 90% of internet users and harnesses the power of advertising opportunities to over two million websites and apps, including some of the most-visited websites and most recognizable properties on the entire internet.

## facebook.

- **Facebook** is the largest social media platform in terms of both audience size and engagement.

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The digital media campaign proposed here will be routinely monitored by KCC's digital specialists to analyze key campaign performance indicators (KPIs), like click-through rates (CTRs) and costs per action (CPAs). This knowledge will be leveraged to allocate placements to sites that have demonstrated successful KPIs throughout the course of the campaign.

**Phase II Notice Plan Cost Summary**

Media Type	Cost (CAD)*
Radio	\$109,853
Newspapers	\$130,877
Consumer Publications	\$26,959
Digital Media	\$32,050
Professional Services	\$9,000
Tax	\$46,311
Sub-Total	\$355,050
Digital Media – Prior to Claims Deadline	\$32,050
Tax	\$4,807
Sub-Total	\$36,857
<b>TOTAL</b>	<b>\$391,907*</b>

\*Best efforts will be made to hold pricing during the Phase II Notice Phase, however KCC/Ricepoint cannot guarantee that media costs will not increase slightly, especially during the 2020 and 2021 calendar years.

## TERMS AND CONDITIONS

All services to be provided by RicePoint Administration Inc. (together with its affiliates, "RicePoint"), including services provided to Client as set forth in the attached Proposal, are subject to the following Terms and Conditions:

**1. SERVICES.** RicePoint agrees to provide the services set forth in the Proposal attached hereto (the "Services"). Capitalized terms not otherwise defined herein have the meanings given to such terms in the Proposal. RicePoint will often take direction from Client's representatives, employees, agents and/or professionals (collectively, the "Client Parties") with respect to the Services. The parties agree that RicePoint may rely upon, and Client agrees to be bound by, any directions, requests, advice or information provided by the Client Parties to the same extent as if such directions, requests, advice or information were provided by Client. Client agrees and understands that RicePoint shall not provide Client or any other party with any legal advice.

**2. PRICES, CHARGES AND PAYMENT.** RicePoint agrees to charge and Client agrees to pay, subject to the terms herein, RicePoint for its fees and expenses as set forth in the Proposal. Client acknowledges that any estimate in the Proposal is based on information provided by Client to RicePoint and actual fees and expenses may vary depending on the circumstances and length of the case. Notwithstanding the foregoing, where total expenses are expected to exceed \$10,000 in any single month, RicePoint may require advance payment from Client due and payable upon demand and prior to the performance of services. RicePoint's prices are inclusive of commission and other charges (but exclusive of harmonized sales taxes) and are generally adjusted periodically to reflect changes in the business and economic environment. RicePoint reserves the right to reasonably increase its prices, charges and rates annually. If any price increases exceeds 10%, RicePoint will give thirty (30) days written notice to Client. Client agrees to pay the reasonable out of pocket expenses incurred by RicePoint in connection with Services, including, but not limited to, transportation, lodging and meals. RicePoint agrees to submit its invoices to Client and Client agrees that the amount invoiced is due and payable upon receipt.

RicePoint agrees to submit its invoices to Client and Client agrees that the amount invoiced is due and payable upon receipt. If any amount is unpaid as of thirty (30) days from the receipt of the invoice, the Client further agrees to pay a late charge (the "Finance Charge"), calculated at a monthly rate of one and one-half percent (1-1/2%) (being an annual rate of eighteen percent (18%)) of the total amount unpaid. In the case of a dispute in the invoice amount, Client shall give written notice to RicePoint within twenty (20) days of receipt of the invoice by Client. Client agrees the Finance Charge is applicable to instances where RicePoint agreed to provide certain pre-settlement work while deferring the billing of said work until the settlement phase.

**3. FURTHER ASSURANCES.** Client agrees that it will use its best efforts to include provisions reasonably acceptable to RicePoint in any relevant court order, settlement agreement or similar document that provide for the payment of RicePoint's fees and expenses hereunder. No agreement to which RicePoint is not a party shall reduce or limit the full and prompt payment of RicePoint's fees and expenses as set forth herein and in the Proposal.

**4. RIGHTS OF OWNERSHIP.** The parties understand that the software programs and other materials furnished by RicePoint to Client and/or developed during the course of the performance of Services are the sole property of RicePoint. The term "program" shall include, without limitation, data processing programs, specifications, applications, routines, and documentation. Client agrees not to copy or permit others to copy the source code from the support software or any other programs or materials furnished to Client. Fees and expenses paid by Client do not vest in Client any rights in such property, it being understood that such property is only being made available for Client's use during and in connection with the Services provided by RicePoint.

**5. CONFIDENTIALITY.** Each of RicePoint and Client, on behalf of themselves and their respective employees, agents, professionals and representatives, agrees to keep confidential all non-public records, systems, procedures, software and other information received from the other party in connection with the Services; provided, however, that if either party reasonably believes that it is required to produce any such information by order of any governmental agency or other regulatory body it may, upon not less than five (5) business days' written notice to the other party (unless notice is prohibited by such order), release the required information. These provisions shall survive termination of Services.

**6. BANK ACCOUNTS.** BANK ACCOUNTS. At Client's request, RicePoint shall be authorized to establish accounts with financial institutions as agent for Client or as otherwise agreed by the parties. All Client accounts established by RicePoint shall be segregated in the records of RicePoint and shall be deposit accounts of commercial banks with capital exceeding \$1 billion and an FIR rating of above Investment Grade or higher (each, an "Approved Bank"). Notwithstanding the foregoing, the parties may utilize any financial institution or electronic payment service provider specified in the Proposal in connection with the services to be provided hereunder, or as otherwise agreed to in writing, which institution or provider will be deemed an Approved Bank. In some cases, RicePoint may derive financial benefits from financial institutions resulting from settlement funds and other

moneys on deposit or invested with them including, for example, interest or discounts provided on certain banking services and service fees. The amounts held pursuant to these Terms and Conditions ("Amounts Held") are at the sole risk of Client and, without limiting the generality of the foregoing, RicePoint shall have no responsibility or liability for any diminution of the fund that may result from any deposit made with an Approved Bank including any losses resulting from a default by the Approved Bank or other credit losses. It is acknowledged and agreed that RicePoint will have acted prudently in depositing the fund at any Approved Bank, and RicePoint is not required to make any further inquiries in respect of any such bank. The delivery of the Amount Held to RicePoint shall not give rise to a debtor-creditor or other similar relationship. It is acknowledged and agreed that RicePoint will have acted prudently in depositing the Amount Held at any Approved Bank, and that RicePoint is not required to make any further inquiries in respect of any such bank.

**7. TERMINATION.** The Services may be terminated by either party (i) upon thirty (30) days' written notice to the other party or (ii) immediately upon written notice for Cause (defined herein). As used herein, the term "Cause" means (i) gross negligence or willful misconduct of RicePoint that causes serious and material harm to Client, (ii) the failure of Client to pay RicePoint invoices for more than sixty (60) days from the date of invoice, or (iii) the accrual of invoices or unpaid services where RicePoint reasonably believes it will not be paid. Termination of Services shall not relieve Client of its obligations to pay all fees and expenses incurred prior to such termination.

In the event that the Services are terminated, regardless of the reason for such termination, RicePoint shall reasonably coordinate with Client to maintain an orderly transfer of data, programs, storage media or other materials furnished by Client to RicePoint or received by RicePoint in connection with the Services. Client agrees to pay for such services in accordance with RicePoint's then existing prices for such services.

**8. LIMITATIONS OF LIABILITY AND INDEMNIFICATION.** Client shall indemnify and hold RicePoint, its affiliates, shareholders, directors, officers, employees, consultants, subcontractors and agents (collectively, the "Indemnified Parties") harmless, to the fullest extent permitted by applicable law, from and against any and all losses, claims, damages, judgments, liabilities and expenses (including reasonable counsel fees and expenses) (collectively, "Losses") resulting from, arising out of or related to RicePoint's performance of Services. Such indemnification shall exclude Losses resulting from RicePoint's gross negligence or willful misconduct. Without limiting the generality of the foregoing, Losses include any liabilities resulting from claims by any third-parties against any Indemnified Party. Client shall notify RicePoint in writing promptly upon the assertion, threat or commencement of any claim, action, investigation or proceeding that Client becomes aware of with respect to the Services provided by RicePoint.

Except as provided herein, RicePoint's liability to Client or any person making a claim through or under Client or in connection with Services for any Losses of any kind, even if RicePoint has been advised of the possibility of such Losses, whether direct or indirect and unless due to gross negligence or willful misconduct of RicePoint, shall be limited to the total amount billed to Client and actually paid to RicePoint for the Services. In no event shall RicePoint be liable for any indirect, special or consequential damages such as loss of anticipated profits or other economic loss in connection with or arising out of the Services. Except as expressly set forth herein, RicePoint makes no representations or warranties, express or implied, including, but not limited to, any implied or express warranty of merchantability, fitness or adequacy for a particular purpose or use, quality, productiveness or capacity. The provisions of this Section 8 shall survive termination of Services.

**9. FORCE MAJEURE.** Whenever performance hereunder is materially prevented or impacted by reason of any act of God, strike, lock-out or other industrial or transportation disturbance, fire, lack of materials, law, regulation or ordinance, war or war condition, or by reason of any other matter beyond the performing party's reasonable control, then such performance shall be excused and shall be deemed suspended during the continuation of such prevention and for a reasonable time thereafter.

**10. INDEPENDENT CONTRACTORS.** RicePoint is and shall be an independent contractor of Client and no agency, partnership, joint venture or employment relationship shall arise, directly or indirectly, as a result of the Services or these Terms and Conditions.

**11. NOTICES.** All notices and requests hereunder shall be given or made upon the respective parties in writing and shall be deemed as given as of the third day following the day it is deposited with Canada Post, postage pre-paid or on the day it is given if sent by facsimile or on the day after the day it is sent if sent by overnight courier to the appropriate address set forth in the Proposal or to such other address as the party to receive the notice or request so designates by written notice to the other.

**12. APPLICABLE LAW.** These Terms and Conditions will be governed by and construed in accordance with the laws of the Province of Ontario, without giving effect to any choice of law principles.

**13. ENTIRE AGREEMENT; MODIFICATIONS; SEVERABILITY; BINDING EFFECT.** These Terms and Conditions, together with the Proposal delivered pursuant hereto, constitutes the entire agreement and understanding of the parties in respect of the subject matter hereof and supersede all prior understandings, agreements or representations by or among the parties, written or oral, to the extent they relate in any way to the subject matter hereof. If any provision herein shall be held to be invalid, illegal or unenforceable, the validity, legality and enforceability of the remaining provisions shall in no way be affected or impaired thereby. These Terms and Conditions may be modified only by a written instrument duly executed by the parties. All of the terms, agreements, covenants, representations, warranties and conditions of these Terms and Conditions are binding upon, and enure to the benefit of and are enforceable by, the parties and their respective successors and permitted assigns.

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**TAB *D***

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## **Schedule "D"**

### **Definitions**

1. In this schedule, the following definitions apply:

**"Phase I Notice"** means notice to Class Members of the hearing to approve the Final Settlement Agreement.

**"Phase II Notice"** means notice of the Certification and Court approval of the Final Settlement Agreement, and the process for opting out.

**"Target Audience"** means current and former officers and non-commissioned members of all components of the Canadian Armed Forces ("CAF"), as well as any individual who served in any branch, corps, service or other group within or forming part of, the Sovereign's armed or military forces for Canada. It also includes current and former federal public service employees of the Department of National Defence ("DND") of all tenures, including managerial and excluded staff, and the Staff of the Non-Public Funds, Canadian Forces ("SNPF"), including all unionized and non-unionized employees.

### **Purpose**

2. The purpose of this Notice Plan is to:
  - (a) set out the process by which Canada will inform the Target Audience about the CAF/DND Sexual Misconduct Class Action and provide Phase I Notice;
  - (b) if the Final Settlement Agreement is approved, set out the process for the Phase II Notice; and
  - (c) provide ongoing notice throughout the claims period.

### **Content of Notices**

3. Wherever possible Canada will replicate the content of the Court approved notices, but may make minor amendments to the Court approved notices to suit the platform chosen.
4. Where significant changes to the form of notices are contemplated, Canada will first consult with Class Counsel.

## **Method of notice**

### Phase I Notice

5. On or before the date set by the Court (but by no later than September 15, 2019), Canada will post or otherwise circulate the Phase I Notice as set out below.
6. Depending on the platform, Canada may use any of the Short Form Notice, Long Form Notice, the Press Release or the Google/Facebook Notice, as appropriate.

### Direct notice to current CAF members, DND public service employees and Staff of the Non-Public Funds

7. A message containing a link to the Phase I Notice will be sent directly to the current CAF members and current Staff of the Non-Public Funds by the Chief of the Defence Staff ("CDS") through a "CDS Message", and to current DND employees by the Deputy Minister of Defence ("DM"), via electronic mail or other electronic means. Follow up communication to SNPF will be done by the Chief Executive Officer of the SNPF.
8. Canada will distribute the Phase I Notice to the following locations for posting and/or electronic distribution:
  - (a) The Maple Leaf (a national DND/CAF newspaper with electronic distribution);
  - (b) Defence Team news;
  - (c) All Base and Wing Newspapers;
  - (d) Base, Wing and Unit Routine Orders;
  - (e) CAF units and DND buildings and facilities;
  - (f) CAF Health Services clinics;
  - (g) Conflict and Complaint Management Services Centres across Canada; and
  - (h) DND public service employee unions;
  - (i) SNPF unions;
  - (j) CANEX stores;

- (k) SISIP Offices; and
- (l) SNPF owned properties and facilities.

Postings on Government web and social media sites and other electronic applications

9. Canada will post the Phase I Notice or a link to the Notice electronically on the following government websites (internet and intranet), social media posts, Mobile apps, etc.:

Websites:

- (a) DND/CAF social media channels weblink: (<http://www.forces.gc.ca/en/stay-connected.page>);
- (b) CAF Intranet page and subpages: (<http://forces.gc.ca/en/>);
- (c) Sexual Misconduct Response Centre website: (<http://www.forces.gc.ca/en/caf-community-support-services/confidential-counselling.page>) ;
- (d) National Defence and Canadian Forces Ombudsman website: <http://ombudsman.forces.gc.ca/en/>;
- (e) Veterans Affairs Canada social media channels weblink: ([https://www.veterans.gc.ca/eng/stay-connected/social media](https://www.veterans.gc.ca/eng/stay-connected/social%20media));
- (f) Veterans Affairs Canada Services page: (<http://veterans.gc.ca/eng/services>);
- (g) My VAC Account webpage: ([https://www.veterans.gc.ca/eng/e\\_services](https://www.veterans.gc.ca/eng/e_services));
- (h) Salute! webpage: (<https://www.veterans.gc.ca/en/news/salute>);
- (i) Government of Canada LGBTQ2 Secretariat "LGBTQ2 news" website (<https://www.canada.ca/en/privy-council/campaigns/free-to-be-me.html>);
- (j) Canadian Forces Morale and Welfare Services <https://www.cfmws.com>;
- (k) Canadian Armed Forces community at <https://www.cafconnection.ca>; and
- (l) Canadian Forces Community and Veterans at <https://www.Soldieron.ca> and <https://www.supportourtroops.ca>

Social Media Channels:

- (m) DND/CAF social media channels comprised of more than thirty (30) CAF social media channels on various platforms: (<http://www.forces.gc.ca/en/stay-connected.page>);



- (n) National Defence Twitter Page (@NationalDefence);
- (o) CAF Twitter Page (@CanadianForces);
- (p) CAF Facebook Page (@CanadianForces);
- (q) LGBTQ2 Secretariat Twitter site (@freetobeme\_ca);
- (r) Canadian Armed Forces Personnel Support Programs @CF.REC.FC; and
- (s) Canadian Forces Morale and Welfare Services LinkedIn  
<https://www.linkedin.com/company/cfpsa/about/>

Mobile Apps:

- (t) "Respect in the CAF" mobile app.;
- (u) CAF Mobile app.;
- (v) VAC mobile app: Veterans Matter; and
- (w) DND mobile app – HR GO RH;

Posting on other related non-government websites

10. Canada will make a request that the Phase I Notice or a link to the Notice be posted electronically on other related non- government websites, including as follows:
  - (a) Royal Canadian Legion;
  - (b) Corps of Commissionaires;
  - (c) Women in Defence and Security;
  - (d) Conference of Defence Associations Institute;
  - (e) Military Association and Branch websites; and
  - (f) National Association of Federal Retirees.

Posting in other related non-CAF news publications and magazines

11. Canada will make a request that the Phase I Notice be posted in other related non-government news publications and magazines including as follows:

- (a) Canadian Military Family Magazine (print and E-Zine);
- (b) Legion Magazine; and
- (c) Esprit de Corps (print and online).

## **Phase II Notice**

### **Direct notice to current CAF members, DND public service employees and Staff of the Non-Public Funds**

12. If the FSA is approved, a message containing a link to the Phase II Notice will be sent directly to the current CAF members and current Staff of the Non-Public Funds by the CDS through a "CDS Message" and to current DND employees by the Deputy Minister of Defence (DM) all via electronic mail or other electronic means. Follow up communication to SNPF will be done by the Chief Executive Officer of the SNPF.
13. If the FSA is approved, Canada will distribute the Phase II Notice or a link to the Phase II Notice electronically to the following locations for posting and/or electronic distribution:
  - (a) The Maple Leaf (a national DND/CAF newspaper with electronic distribution)
  - (b) Defence Team news;
  - (c) All Base and Wing Newspapers;
  - (d) Base, Wing and Unit Routine Orders;
  - (e) CAF units and DND buildings;
  - (f) CAF Health Services clinics;
  - (g) Conflict and Complaint Management Services Centres across Canada; and
  - (h) DND public service employee unions;
  - (i) SNPF unions;
  - (j) CANEX stores;
  - (k) SISIP offices; and
  - (l) SNPF owned properties and facilities.

#### Electronic Notice

14. If the FSA is approved, Canada will post a Phase II Notice and/or links to the Notice, Opt Out Form and Individual Application Form/Claim Form, on the platforms set out in paragraph 9 above.
15. Canada will also make a request that the Phase II Notice or a link to the Notice be posted electronically on other related non- government websites as set out in paragraph 10.
16. Canada will also make a request that the Phase II Notice be posted in other related non-government news publications and magazines as set out in paragraph 11.

#### Ongoing Notice

17. Canada will continue to post Notices and/or links to the Phase II Notice Materials on an ongoing basis throughout, and leading up to, the end of the Claims Period.
18. The Phase II Notice materials may also be displayed in various sizes and formats, in paper or on electronic boards, in all Bases, Wings, HQs, Reserve Units, and other DND/CAF/VAC premises and associated locations (Base and Wing Community Centres, CANEX, Military Family Resource Centres, Messes) and local Branches of the Royal Canadian Legions and ANAVETs across Canada.
19. At its discretion, Canada may explore other options for increasing awareness, which could include posting information in various other Government of Canada locations or kiosks and organizations affiliated with the military and defence.

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# **TAB *E***

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## Schedule "E"

### PARTICIPATION FORM

#### Canadian Armed Forces and Department of National Defence Sexual Misconduct Class Action

**ONLY USE THIS FORM IF YOU WANT TO REGISTER YOUR SUPPORT OR OBJECTION  
TO THE PROPOSED SETTLEMENT**

TO: CAF DND Sexual Misconduct Class Action  
c/o Deloitte  
Bay Adelaide Centre, East Tower  
8 Adelaide Street West  
Toronto, ON M5H 0A9  
[cafdndmisconduct@deloitte.ca](mailto:cafdndmisconduct@deloitte.ca)

My name is

---

I am a (please specify):

- ☐ I am a current or former member of the CAF who experienced sexual harassment, sexual assault, or discrimination on the grounds of sex, gender, gender identity or sexual orientation in connection with my military service.
- ☐ I am a current or former employee of the DND or the Staff of the Non-Public Funds (SNPF), Canadian Forces, who experienced sexual harassment, sexual assault, or discrimination on the grounds of sex, gender, gender identity or sexual orientation in connection with my employment for DND or the SNPF.

For the reasons stated below, I:

- |   |   |
|---|---|
| <input type="checkbox"/> <b>SUPPORT</b> the terms of settlement | <input type="checkbox"/> <b>OBJECT TO</b> the terms of settlement |
| <input type="checkbox"/> <b>SUPPORT</b> the legal fees          | <input type="checkbox"/> <b>OBJECT TO</b> the legal fees          |

I am supporting or objecting to the Proposed Settlement or legal fees for the following reasons (please attach extra pages if you require more space):

<input type="checkbox"/>	I have enclosed copies of documentation supporting my support or objection. (You do not have to attach any documents).
<input type="checkbox"/>	I have <b>NOT</b> enclosed documentation supporting my objections and I do not intend to provide any.
<input type="checkbox"/>	I do <b>NOT</b> intend to appear at the hearing of the motion to approve the proposed settlement, and I understand that my support or objection will be filed with the court prior to the hearing of the motion on September 19 and 20, 2019 in Ottawa, Ontario.
<input type="checkbox"/>	I intend to appear, in person or by counsel, and to make submissions at the hearing on September 19 and 20, 2019 in Ottawa, Ontario.

**MY ADDRESS FOR SERVICE IS:**

Name:

Address:

Tel.:

Fax:

Email:

Date:

**MY LAWYER'S ADDRESS FOR SERVICE IS (if applicable, but you do not need a lawyer to object):**

Name:

Address:

Tel.:

Fax:

Email:

Signature:

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Schedule "E"

**FORMULAIRE DE PARTICIPATION**

**Recours collectifs pour inconduite sexuelle dans les Forces armées canadiennes  
et au ministère de la Défense nationale**

**VEUILLEZ UTILISER CE FORMULAIRE SEULEMENT SI VOUS SOUHAITEZ SOUMETTRE  
VOTRE APPUI OU VOTRE OPPOSITION AU RÈGLEMENT PROPOSÉ**

DEST.: FAC MDN Recours Collectif Inconduite Sexuelle

a/s Deloitte

Centre Baie Adélaïde, Tour Est

8 rue Adélaïde Ouest,

Toronto (Ontario) M5H 0A9

[facmdninconduite@deloitte.ca](mailto:facmdninconduite@deloitte.ca)

Mon nom est \_\_\_\_\_

Je suis un (veuillez spécifier) :

- ☐ membre ou ancien membre des FAC qui a été victime du harcèlement sexuel, d'une agression sexuelle ou de la discrimination fondée sur le sexe, le genre, l'identité de genre ou l'orientation sexuelle dans le cadre de mon service militaire ou de mon emploi au sein du MDN ou du PFNP.
- ☐ un employé ou ancien employé du MDN ou du Personnel des fonds non public, Forces canadiennes (PFNP) qui a été victime du harcèlement sexuel, d'une agression sexuelle ou de la discrimination fondée sur le sexe, le genre, l'identité de genre ou l'orientation sexuelle dans le cadre de mon emploi au sein du MDN ou du PFNP.

Pour les motifs exposés ci-après,

- |  |   |
|--|---|
| <input type="checkbox"/> J'APPUIE les modalités du règlement | <input type="checkbox"/> Je m'OPPOSE aux modalités du règlement |
| <input type="checkbox"/> J'APPUIE les honoraires des avocats | <input type="checkbox"/> Je m'OPPOSE aux honoraires des avocats |

J'appuie le projet de règlement ou les honoraires des avocats, ou je m'y oppose, pour les raisons suivantes (veuillez joindre des pages supplémentaires, au besoin) :

<input type="checkbox"/>	J'ai joint des copies des documents au soutien de mon appui ou de mon opposition. (Vous n'êtes pas obligé de joindre des documents.)
<input type="checkbox"/>	Je <b>N'AI PAS</b> joint de documents au soutien de mon opposition et je n'entends pas le faire.
<input type="checkbox"/>	Je <b>N'AI PAS</b> l'intention de comparaître à l'audience sur la requête en approbation du règlement proposé, et je comprends que ma déclaration d'appui ou d'opposition sera déposée auprès de la Cour avant cette audience, qui aura lieu à Ottawa (Ontario), les 19 et 20 septembre 2019.
<input type="checkbox"/>	J'ai l'intention de comparaître en personne ou y être représenté par un avocat et présenter des observations à l'audience les 19 et 20 septembre 2019 à Ottawa (Ontario).

**MON ADRESSE AUX FINS DE NOTIFICATION :**

Nom :

Adresse :

Tél.:

Télec :

Courriel :

Date :

\_\_\_\_\_

**ADRESSE DE MON REPRÉSENTANT AUX FINS DE NOTIFICATION (le cas échéant, mais vous pouvez soumettre votre opposition sans être représenté :**

Nom :

Adresse :

Tél.:

Télec :

Courriel :

Signature :

\_\_\_\_\_



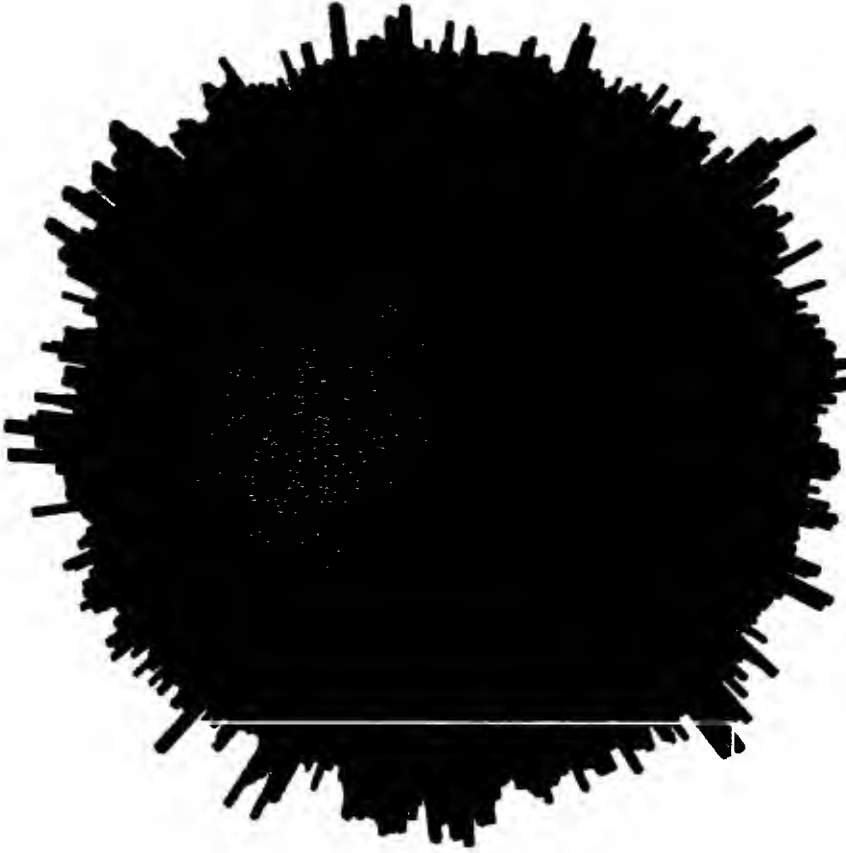
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**TAB *F***

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**Deloitte.**

Schedule "F"



**CAF/DND Sexual Misconduct Class Action**

**Pre-Claims Administration Plan**

**July 9, 2019**

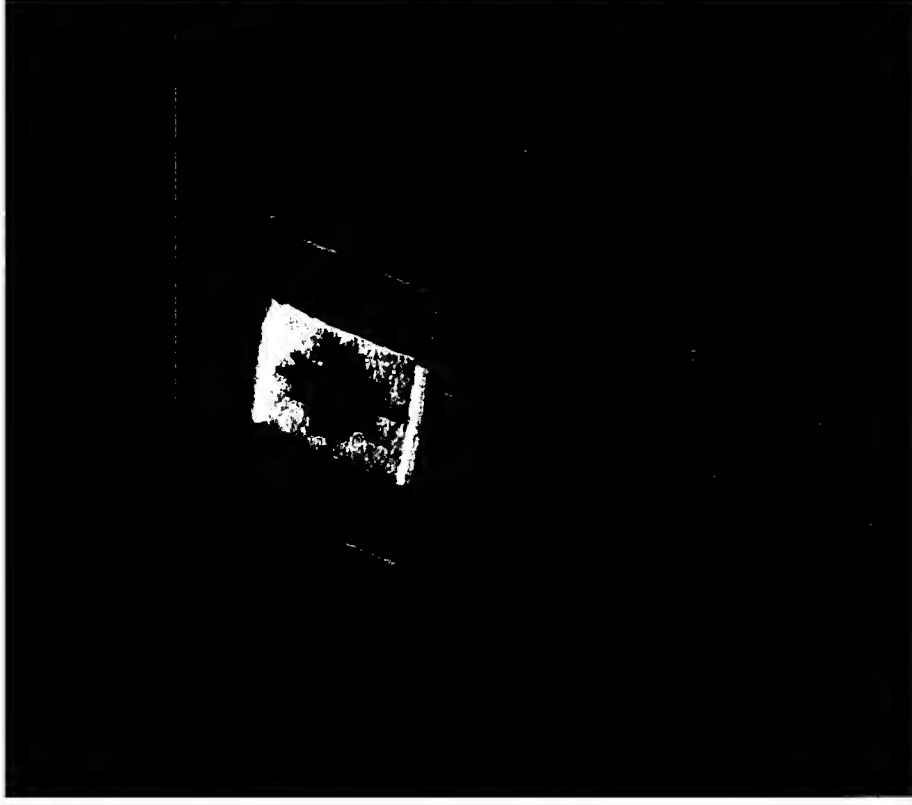
# Contents

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# Administrative Services

# Our Understanding of the Matter - Overview & Objectives

- **Matter:** The Plaintiffs in the proposed class action claim that they experienced sexual harassment, assault and/or other discrimination on the grounds of sex, gender, gender identity and sexual orientation (“Sexual Misconduct”), in connection with their military service with in the Canadian Armed Forces (CAF), the Department of National Defence (DND) and the Staff of the Non-Public Funds (SNPF). The Plaintiffs and the Defendant (“Parties”) recognize and acknowledge that the Sexual Misconduct had harmful effects on the class. The Parties are entering into a proposed settlement to provide compensation and other policy measures to those who suffered direct negative effects of the Sexual Misconduct (“CAF/DND Sexual Misconduct Class Action”).
- The Parties jointly require the services of an interim administrator to perform certain administration duties relating to notice and participation prior to the start of the claims administration process.
- **Services required:** You have asked Deloitte to undertake hosting website, running call centre and collecting participation forms and managing participation at the hearing, and receiving and managing the opt out process (if required).
- **Potential Class Population / Target Audience:** (a) All current and former officers and non-commissioned members of all components of CAF, as well as any individual who served in any branch, corps, service or other group within or forming part of, the Sovereign’s armed or military forces for Canada; (b) All current and former employees of all tenures of the DND and SNPF.
- **External Notice Program: Administrative Component only:**
  - **Phase I Notice:** Administrative components will include the development and management of a dedicated website and call centre where documents related to the matter may be accessed, and questions from potential class members will be answered regarding participation in settlement approval, along with receiving and managing Participation Forms and coordinating the participation of potential Class Members at the Settlement Approval Hearing.
  - **Phase II Notice:** The administrative services component may also involve maintenance of website and call centre, and receiving and managing the opt out process.

# Summary of Requirements<sup>1</sup> – Administrative Services

Service	Content/Channels	Phase I	Phase II
Admin: Web site	<ul style="list-style-type: none"> <li>A neutral informational website with the domain name "CAF/DND Sexual Misconduct Class Actions" will be established where affected individuals can obtain information. The website will be established by the interim administrator and maintained until the end of the Claims Period, unless directed to transfer control to the Administrator by the Parties.</li> <li>The website must be established such that it can be transferred to the control of the Administrator and should not include the interim administrator's branding</li> <li><i>Note: Deloitte Quote assumes transfer after February 15, 2020</i></li> </ul>	<p>Website should enable individuals to do the following:</p> <ul style="list-style-type: none"> <li>View court approved Notice documents</li> <li>Obtain Participation Forms and information on where to submit them</li> <li>View the Settlement Agreement in French and English</li> <li>Receive other information about the proposed settlement and the process for participating in the hearing, such as Frequently Asked Questions set out in the Long Form Notice</li> <li>Make general inquiries about the matter via email</li> </ul>	<p>Website should enable individuals to do the following:</p> <ul style="list-style-type: none"> <li>View court approved notice of settlement</li> <li>View the Settlement Agreement in French and English;</li> <li>Obtain opt-out forms and information on where to submit them;</li> <li>Obtain claims forms and information on where to submit them;</li> <li>Make email inquiries and receive further information about the settlement</li> </ul>
Admin: Call Centre	<ul style="list-style-type: none"> <li>Services in English and French</li> <li>Established by interim administrator, maintained until end of claims period, unless asked to transfer to Administrator</li> <li><i>Note: Deloitte Quote assumes transfer after February 15, 2020</i></li> </ul>	<ul style="list-style-type: none"> <li>Callers to ask questions and receive more information about proposed settlement and ability to participate in the settlement hearing</li> </ul>	<ul style="list-style-type: none"> <li>Callers to ask questions and receive more information about process for opting out or submitting a claim form</li> </ul>
Admin: Forms and participation	<ul style="list-style-type: none"> <li>Receipt and management of forms, and coordination of potential Class Members</li> </ul>	<ul style="list-style-type: none"> <li>Receiving and managing participation forms</li> <li>Coordinating the participation of potential Class Members (in consultation with Plaintiffs' counsel) at the Settlement Approval Hearing</li> </ul>	<ul style="list-style-type: none"> <li>Receiving and managing Opt-Out forms</li> </ul>

1. Requirements listed as outlined in the External Notice Plan Proposal. Blue, italicized notes indicate assumptions/changes by Deloitte. Other deviations due to budget constraints are outlined in the respective slides that provide further details on each of the services requested.

# Administrative Services – Pricing

## General Format and Content Requirements

Services:	Website	Call Centre	Other
<b>Format:</b>	Website will be established by the interim administrator, without interim administrator's branding, to be transferred to Administrator	Toll Free call centre with services in English and French, to be transferred to Administrator	Receiving and managing participation forms and opt-out forms, coordinating the participation of potential Class Members (in consultation with Plaintiffs' counsel) at the Settlement Approval Hearing.
<b>Content:</b>	Court documents, FAQs	Provide information about settlement and participation, opt-out and claim process	
<b>Timing:</b>	Assumed starting Phase I (July 10, 2019) until Implementation Date (estimated Feb 15, 2020) ~ 7 months		

## Program Components and Fees

	Initial Set-Up Fees <sup>2</sup>	Monthly Fees <sup>3</sup>	Management Fees <sup>1</sup>	Total Estimated Fees
Management of Participation Process <sup>1</sup> (July 10, 2019 – September 19, 2019)	n/a	n/a	\$5,000	\$5,000
Management of Opt Out Process <sup>1</sup> (Sept 19, 2019 – Feb 15, 2020)	n/a	n/a	\$5,000	\$5,000
Website and Call Centre (July 10, 2019 – Feb 15, 2020)	\$15,000	\$5,000 x 6 months = \$30,000	n/a	\$45,000
<b>Total Fees (\$)</b>	<b>\$15,000<sup>2</sup></b>	<b>\$30,000</b>	<b>\$10,000<sup>1</sup></b>	<b>\$55,000</b>

1. To be billed in September 2019, if the services are required
2. To be billed at the time of appointment
3. To be billed monthly

# Key Assumptions

Our proposed fees are based on the following key assumptions. Variances from the assumptions listed below may have a material impact on our cost estimate.

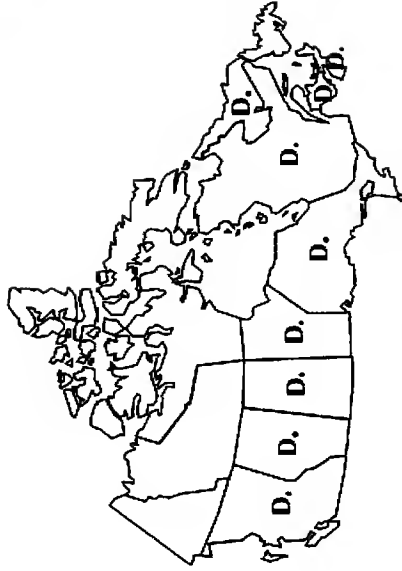
1. All content to be hosted on the website (e.g. Settlement Agreement, Opt-Out Form, FAQs) will be provided to Deloitte, in accordance with specifications and timelines, in English and French
2. Relevant dates provided to us:
  - Website is expected to go live on July 17, 2019
  - If Deloitte is requested to manage opt-outs, the period would commence immediately following the settlement approval hearing on September 19-20, 2019
  - Implementation is assumed to be February 15, 2020 (dependent on the timing of the settlement approval order)
3. For website and call centre, our services will be provided from July 10 to February 15, 2020, unless directed otherwise by the parties; if the pre-implementation period is extended, additional fees will apply: \$5,000/month
4. Fees quoted herein are exclusive of HST and other applicable taxes. Refer to slide 6 for details.



# Qualifications

# Our National Reach and Reputation

Our client service objective is to be more than just your service provider; our vision is to be your most sought after business advisor. In 2010, Deloitte became the single largest professional services organization in the world. Deloitte is also the largest firm in Canada with more than 11,000 people in 60 offices providing audit, tax, consulting and financial advisory services. This gives our clients even greater access to global resources as required, and enables us to make larger investments in new markets and innovation to your benefit.



In addition, programs in Canada, like our 50 Best Managed Companies and Fast 50 Programs expand our reach and connection to the brightest and best minds in the business world. The firm is dedicated to helping its clients and its people excel. Our professionals have been developing effective business solutions and innovative performance improvements for Canadian and international organizations for more than 150 years.

## Key Facts and Figures



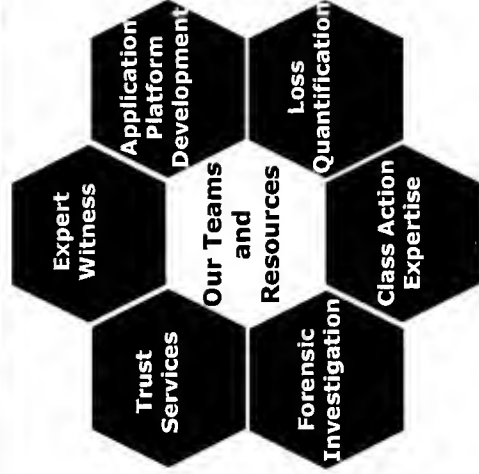
## Our Class Action Expertise

Deloitte has considerable experience in class action and administration matters with over **\$1 billion** in claims managed. We have the infrastructure and resources to effectively administer class action claims of any size, in multiple jurisdictions, and in both official languages. We combine national coverage with international capabilities; a cross functional team approach with in-depth claims management expertise; and a personal commitment to service with technical excellence.

Whether the situation merits design and oversight services or more comprehensive claims processing, Deloitte's extensive experience in claims administration makes us a valuable ally in providing cost effective solutions to complex claims related situations.


## Examples of Class Actions

Walmart Photo Centre Class Action	LGBT Purge Class Action
Christian Brothers of Ireland in Canada Class Action	Hormone Replacement Therapy Breast Cancer Class Action



# Our Class Action Administration Team

## Key Personnel

Joelle Gott   Partner   Grants and Loans Portfolio Services		Class Action Administration	Due Diligence / File Review	Information Technology
	<p>Joelle leads Deloitte's national Grant &amp; Loan Portfolio Services Practice, which deals with matters ranging from class action administration to credit due diligence to grants &amp; loans administration and monitoring. In addition, Joelle brings 15 years of experience relating to litigation advisory services, specializing in economic damages quantification, valuation advisory and accounting standards and practices. Joelle has led several class actions where Deloitte was engaged to perform a range of services with respect to class action administration in private and public sector, with matters ranging from adjudicating on compensation in accordance with a harms grid to calculation of financial losses as a result of system errors or breach of privacy.</p>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	
	<p><b>Alnoor Nazarali   Director   Grants and Loans Portfolio Services</b></p> <p>Alnoor is a Director in our Financial Advisory Services group with several years' experience in Loan and Lease Portfolio Management and Claims administration. He has significant expertise in loan servicing on different system platforms, fast conversion turn around, and complex investor reporting with links/bridges to clients' own systems. Alnoor has worked on several class actions where the Courts appointed Deloitte as Administrator, and Alnoor led the team through claim intake, review, adjudication, communication with parties and ultimate payouts to claimants.</p>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
	<p><b>Zoia Petrossian   Manager   Grants and Loans Portfolio Services</b></p> <p>Zoia is a Manager within the Grants and Loans Portfolio Services of our Financial Advisory practice. Zoia is a CPA, CA with experience providing in Audit and Assurance engagements that include advisory services on finance transformation projects, as well as public company audits of large scale mining operations in Canada and the US. Zoia also has significant experience working in the mining industry sector, focused on financial reporting and accounting policy under IFRS, as well as process improvement and training initiatives. As a Manager in the Grants and Loans group, Zoia has worked with team members within Financial Advisory on a number of class actions engagements that involved planning, claims review, team oversight and reporting.</p>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	

# Selected Experience Summary – Class Action Administration

## Walmart Photocentre Class Action

- Appointed by the Ontario Superior Court as the Claim Administrator of a data security matter involving customers whose information may have been compromised.
- Performed various functions including vetting and 'de-duping' an email contact list of approximately 1.3 million potential claimants, sending email notices to approximately 850,000 current and former Walmart customers in 2017, providing on-line pdf fillable claims form available from our website
- Administered claims intake, review and adjudication, and payment of eligible claims with respect to out-of-pocket costs incurred due to the security breach.

## LGBT Purge Class Action

- Appointed by the Federal Court of Canada as the Claims Administrator of the \$110 million settlement in Todd Edward Ross, Marine Roy and Alida Satalic v. Her Majesty the Queen class proceeding pertaining to the LGBT Purge.
- The action relates to those individuals directly affected by the official policies of the Canadian Armed Forces, the Royal Canadian Mounted Police, and the Federal Public Service which led to the investigation, sanction, and in many cases, sexual and physical assault as well as discharge or termination on the basis that one was unsuitable for service or employment due to one's sexual orientation, gender identity or gender expression, between 1955 and 1996.
- Deloitte is currently administering this matter, and is responsible for managing and adjudicating claim submissions, , trust fund administration and distribution of payments, operating a contact centre, liaising with Defendant and Plaintiff Counsel, reporting to the Parties, the Exception Committee and the Court, as well as the Assessor through our proprietary claims management system. Deloitte is also managing the issuance of Individual Reconciliation Measures including citation letter, apology letter, file notation and provision of claimant's permanent records.

## Hormone Replacement Therapy Breast Cancer Class Action Settlement

- Appointed by the Supreme Court of British Columbia as the Claim Administrator of a pharmaceutical matter involving hormone replacement therapy drugs.
- Assembled a specialized team to facilitate the review of supporting medical documentation and determination of class member eligibility.
- Recalculated the benefit entitlement of applicants under the terms of the settlement.

## Christian Brothers of Ireland in Canada ("CBIC") Settlement and Liquidation

- Appointed by the Superior Court of Justice of the Province of Ontario to be the Provisional Liquidator for the claims against CBIC pertaining to a number of child abuse allegations from former residents of the Mount Cashel Orphanage.
- Utilized all assets to pay CBIC's liabilities.
- Executed advertisements for claims as part of notification process.
- Maintained and registered claims and tagged, logged and scanned all documents relating to specific claims.
- Reviewed and assessed declaration of claims for eligibility.

## Dow Corning Breast Implant Class Action Settlements

- Deloitte was appointed to administer 2 distinctly different Dow Corning class action settlements.
- Both engagements required 7 years to distribute approximately US\$62M in settlement proceeds to eligible Class Members.
- Dedicated teams in Montreal and Vancouver evaluated complex medical claims for patients implanted with silicone gel.
- A tiered benefit matrix was used to compensate Class Members in accordance with the severity of their medical condition.
- Responsible for claim submissions from all provinces with the exception of Ontario.
- Reported to Settlement Class Counsel, Counsel for the Defense, Superior Court of Quebec and Supreme Court of British Columbia.

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Class Action	Bi-lingual Services	Investigative / Due Diligence	Information Technology
✓	✓	✓	✓
✓	✓	✓	✓
✓	✓	✓	✓
✓	✓	✓	✓